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Afternoon Sitting

Speaker: Honourable John M. Turner

Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday, November 8, 1984

The House met at 2 p.m.

Prayers.

VISITORS

Mr. Speaker: Before proceeding with the business of the House, I would ask all members of the Legislative Assembly to join me in recognizing and welcoming in the Speaker's gallery Mr. Ziad Shawwaf, Saudi Arabian ambassador to Canada, and Dr. Suliman Sindi, educational attaché for academic and technical affairs for Saudi Arabia.

STATEMENTS BY THE MINISTRY

MULTICULTURAL SERVICE GRANTS PROGRAM

Hon. Ms. Fish: Mr. Speaker, this afternoon I am very pleased to be able to announce a new multicultural service grants program. This program will give multicultural organizations the increased financial stability needed to provide continuing help to many of those who have come to Ontario from other lands.

After a careful assessment and extensive consultation with multicultural service organizations, I am confident this initiative will complement our existing programs and help meet the changing needs of multicultural organizations and their clients. It has become increasingly difficult for these organizations to serve our multicultural population without some measure of financial stability. This stability is essential if these services are to become an integral part of the community service system.

The primary objective of our other grants programs and citizenship initiatives has been to encourage the full and active participation of Ontario's culturally diverse population. The goal remains the same, but the changing nature of the population has meant that the requirements to reach this goal have changed, and changed dramatically.

The adjustment of immigrants depends on a variety of social, economic and cultural factors. There are immigrants in Ontario who have lived here for a number of years but are not yet able to participate fully in the life of the community because of inadequate language and life skills.

Our new multicultural service grants program will allow organizations to develop initiatives and long-term support to address the needs of this population. This program will be of particular benefit to immigrant women, who have been especially vulnerable to the obstacles preventing successful integration.

The federal commitment to immigration that reunites families has meant we have a larger number of elderly and young adults coming into our society. They too need the long-term support that this program is designed to make possible.

Another concern these multicultural service program grants will address is the fact that a growing number of communities and community organizations outside the Toronto area with little history of ethnic diversity are now having to adjust to the needs and challenges of an increasingly multicultural population.

Our multicultural community organizations not only help the immigrant to settle into a new home but also are responsible in a major way for the intertwining of cultures and traditions that we in Ontario are so fortunate to enjoy.

The new grants program will strengthen the administrative base of multicultural service organizations, which consequently will be better able to attract and hold the qualified staff they need to perform their very important and often difficult and complex duties.

Let me reiterate that the program I am introducing today reflects the valuable advice of our community groups. Since becoming minister responsible for citizenship development in Ontario, I have had the opportunity to meet and consult many of our community organizations and agencies. I am delighted to be able to respond with this initiative to the needs identified by them.

Under this new program, \$650,000 has been allotted for this fiscal year. We intend to provide \$1.3 million for these purposes on an annual basis. Established community-based organizations with a record of providing services effectively to Ontario's multicultural community on an ongoing basis are eligible to apply.

Detailed criteria have been developed and application may be made at my ministry's regional offices throughout the province. Minis-

try staff will be holding briefing sessions within the next few weeks to inform organizations of the specific elements of the program.

By working together as a partner with these organizations, the government will be able more easily to identify and respond to new directions and new requirements as they emerge. I feel sure, too, that by recognizing the vital role of multicultural organizations and the way their programs and services help our society, we are enriching the quality of life for us all.

COMMUNITY COLLEGE LABOUR DISPUTE

Hon. Miss Stephenson: Mr. Speaker, cabinet has been advised by the College Relations Commission that the education of students enrolled in Ontario's 22 colleges of applied arts and technology will be in jeopardy if the strike by the teaching staff in those institutions continues.

Today, as a result, I will introduce An Act respecting the Labour Dispute between the Ontario Public Service Employees Union and the Ontario Council of Regents for the Colleges of Applied Arts and Technology.

The Council of Regents and the Ontario Public Service Employees Union began negotiations last May. Following a fact-finder's report, the council tabled its first complete offer on August 31. This was followed by a second offer on September 25, which the union refused to receive from either the council or the mediator.

From the first, without compromise, the union has demanded a province-wide formula which would substantially reduce the work load of all teachers. This was not acceptable to the Council of Regents, which maintained there is no evidence of a general work load problem.

On November 4, the Council of Regents tabled a third complete offer, which ensured limits on teaching assignments and local solutions to any individual teacher's work load problems.

[Interruption]

2:10 p.m.

Mr. Speaker ordered the galleries to be cleared.

2:15 p.m.

Hon. Miss Stephenson: The following day, on November 5, the union, for the first time since negotiations had started in May, tabled its salary demands. These exceeded substantially the five per cent provincial guidelines. At the same time, the union continued to demand the work load formula.

At this stage, the two parties found themselves at an insoluble impasse, negotiations were terminated and the Council of Regents requested the Minister of Colleges and Universities to intervene and return students to classes.

In the interest of the students and taxpayers of Ontario, the act I shall introduce today requires that all members of the academic staff bargaining unit of employees of colleges of applied arts and technology return to and resume their duties as soon as possible. In the meantime, the act will provide that the agreement that expired August 31, 1984, will be extended to August 31, 1985. As well, it will provide for interim salary increases set out in the schedule, which is part of the act.

Furthermore, an arbitrator to be appointed by the Lieutenant Governor in Council will be empowered to resolve all matters in the dispute, except for those concerning instructional assignments. This issue will be addressed by a committee that will be known as the Instructional Assignment Review Committee, to be appointed by the Lieutenant Governor in Council. It will be composed of an independent chairman, one representative of the union and one representative of the management of the college system. The committee shall conduct a comprehensive review of all aspects of instructional assignments in the colleges of applied arts and technology.

As part of its review, the committee shall consult persons representing the views of the Council of Regents, the boards of governors of the colleges, the Ontario Public Service Employees Union, students, parents and others whom the committee is satisfied have an interest in instructional assignments in the colleges. I anticipate the committee will submit its report and recommendations to the Minister of College and Universities by June 30, 1985.

In the meantime, as a part of this act, in addition to the amendment I suggested earlier, a further amendment will be introduced at second reading that will establish within each college of the system a college instructional assignment committee which shall serve until June 30, 1985. From that time forward, the committee shall be reappointed or appointed again with different membership for each year, beginning July 1, 1985.

The college instructional assignment committee shall be composed of four persons appointed in each college, with two members to be appointed by the administration of the college and two by the local union. The committee shall include the senior academic officer of the college

and the president of the local union or their appointees.

On receipt of a new instructional assignment, each employee of each college shall complete the standard instructional assignment form to be provided by the college. The form shall contain the details of the employee's instructional assignment and, when completed, shall be returned to the employee's supervisor. The supervisor will review and forward it with any comments within 10 working days of receipt to the college instructional assignment committee.

That committee shall meet at the request of any of its members at any time during the course of the instructional year. An employee who believes the instructional assignment is inequitable may request the committee to review the form that has been completed. Such request must be made by the employee within 10 days of completing the form and should be reviewed by the committee within 10 days of receiving the request.

The committee will advise the employee in writing that it has made a determination of the matter or that it has been unable to resolve the matter. The committee may request the presence both of the employee and the supervisor for assistance in reviewing any form completed by the employee.

In the event that a determination is made by a majority of the committee with respect to an instructional assignment arising out of an instructional assignment form, it shall be binding upon the parties and the employee concerned and the committee will advise the parties in writing of its decision.

2:20 p.m.

If a request for a review of an instructional assignment is not resolved by the committee, the employee may forthwith file a grievance as to the application of article 4.01 or 4.02 within 10 days of receiving the committee's report and may refer the grievance to arbitration as provided in article 11.03 of the collective agreement.

The college instructional assignment committee in its consideration shall have regard to such variables affecting assignments as the application of article 4.01, course preparation, measurement and evaluation, availability of technical and other resource assistance, the number of students, the instructional mode or modes, previous assignments, necessary travel time between assignments, curriculum development, academic counselling and other assignments.

This mechanism is one that appeared to be required by the members of the union within the various colleges in order to provide a means by which the employee could, without an adversarial format, apply to each college for review of assignments related to the instructional work load of that teacher.

With the amendments to the act being presented, I believe all matters in dispute are being addressed appropriately, and I hope the members of the House will find it in their hearts to provide for speedy passage of this bill in the interests of the students.

Mr. Speaker: Statements by the ministry. Oral questions, the Leader of the Opposition.

Mr. Peterson: Mr. Speaker, the minister has not thought this through very well. It is just a recipe for a hung jury.

Mr. Allen: Mr. Speaker, on a point of privilege: With respect to the minister's stated position on Tuesday last that negotiations were proceeding at a time when they were not, would she please account for her—

Mr. Speaker: Order.

Mr. Martel: What is wrong with that? You have not even heard the bloody point.

Mr. Speaker: It is hardly—

Mr. Allen: I want to be able to believe and I want to be able to accept the minister's statements at face value. In this House, I am afraid I cannot do that.

Mr. Speaker: That is not for me to make a judgement on.

Mr. Allen: Is that the Minister of Education's or is that the Council of Regents' statement?

Mr. Speaker: Order. I will not caution the honourable member again. That is all.

ORAL QUESTIONS

COMMUNITY COLLEGE LABOUR DISPUTE

Mr. Peterson: Mr. Speaker, I am fascinated by the statement today. It will not work. These questions have been festering for years. They are looking for resolutions, not more committees and inquiries. I read with fascination the last page of the prepared statement where it says, "This ends my statement." It should read, "This ends my career."

Let me put a very specific question to the minister. This morning we have been reading about her policy that has been coming out in dribs and drabs, as she thought it out and cleared it through the caucus. Let me put to the minister a

specific suggestion that I believe would be constructive in the circumstances.

Instead of referring the matters she is referring to the arbitrator, why would she not send the parties back to the negotiating table for 30 days with respect to the still unresolved questions pertaining to work load, assignment of hours and the quality of education? Why would she not ask them to go back to the negotiating table, still fight for a negotiated settlement of those issues, and if it could not be resolved, then 30 days from now it could be turned over to an arbitrator?

In the circumstances, and given the incredibly bad feelings that have developed in this discussion in the last little while, would she not agree that an approach such as that, with some leadership from her such as that, might go some way not only to impress the urgency of the situation on the parties but hopefully to come to a negotiated settlement, rather than her spate of unworkable committees with two parties that will always end up hung—she knows that as well as I do—and another inquiry to look at matters that have been looked at for years?

Why would that not be a constructive approach right now? I understand time is of the essence and that there will probably be a resolution to this matter some time today, perhaps by 10:30 tonight. Why would that not be a constructive approach for the minister to consider?

Hon. Miss Stephenson: Mr. Speaker, as a matter of fact we did consider it. It was rejected because we had absolutely no sense of security that there would be meaningful bargaining if we referred the matters back to the bargaining table. There was concern about whether there would be active participation on both sides towards negotiating a settlement.

The matters related to work load are relatively complex. It is felt an inquiry that will be comprehensive and objective and will ensure the participation of both the members of the employees' union and the members of the management as well as an external objective individual would provide a much more meaningful foundation for the appropriate modification of the current formula than what could potentially be relatively vindictive negotiation at the negotiation table.

Mr. Peterson: This issue has been studied to death.

An hon. member: It has not.

Mr. Peterson: Of course it has.

Mr. Speaker: Question, please.

Mr. Peterson: There have been three work load studies; the minister has the report on college growth; there have been fact-finders' reports. The minister must be aware of the background that brought about this strike. It was predictable in the circumstances, given the government's policies.

Why does the minister feel she must indulge again in the politics of deferral and the politics of inquiries or royal commissions? Any time there is an issue, that is always the government's response. Why does the minister think this is going to solve the issue in six months rather than addressing it now in meaningful ways with negotiation between the parties?

Surely that is a constructive solution. The minister is just going to defer these problems for another six months, presumably until the Premier leaves, thus leaving the problem for the next government. That is going to be us in the circumstances, if the minister does not provide more meaningful leadership.

Hon. Miss Stephenson: I am delighted to hear the Leader of the Opposition indulging in his usual spate of wishful thinking.

It certainly is not a matter that has been studied to death. I am sorry the member does not seem to understand what a fact-finder's report is. Neither does he seem to understand that internal documentation about certain facets of work load are not complete investigations of the situation. I believe this matter deserves the kind of study which it will be given by a committee such as that which has been suggested.

Mr. Rae: Mr. Speaker, I wonder if the minister can explain one point for the benefit of the House. Why is it that all matters in dispute between the parties have been sent to compulsory arbitration except the matter that has been in dispute for the last six months? On that matter, the minister chose to follow the line of the employer in this dispute. She took it hook, line and sinker.

Instead of sending that matter to compulsory arbitration, all she has done is imposed in legislation exactly what it is the employer put to the bargaining committee on Sunday and could not get. Why is the minister giving to the employer in legislation what it was unable to get in bargaining? That is exactly what she is doing.

Hon. Miss Stephenson: Mr. Speaker, I am not sure that is so, but I shall investigate to find out whether it was a part of the position which was put on Sunday.

I have been considering the matter of an external review committee for some time now

and I think it is a reasonable way to go. The reason it is going in that direction is that it seems to be a more equitable way to ensure the appropriate participation of all members of the college system, whether they be management or employees. The committee will have the opportunity to hear from members of the administration who are not necessarily going to be bound by the restrictions that might be placed upon them if they were speaking through their college administrators.

I believe that is the appropriate way to do this. It is an open and completely accessible and available mechanism and I hope it will lead to the kind of solutions which would be deemed appropriate by all.

2:30 p.m.

Mr. Peterson: I put the question to the minister again: Would it not be better at least to attempt to salvage something out of this miserable debacle the minister has gone through?

We have had to sit by and watch, with great reluctance, the great harm that is being imposed and the recipe for disaster in the future as well. The minister is not dealing with this question. She is shoving it under the rug again, hoping for some time, hoping it will go away, the way this government approaches almost every issue.

Mr. Speaker: Question, please.

Mr. Peterson: Surely this has to be resolved, and the only real way is in free negotiations. The critical issue was and is work load and quality of education, and her system will not address that in any meaningful way.

Mr. Speaker: Now for the question.

Mr. Peterson: I put it to her again, and even today when I read this statement, it is biased in favour of the council. I do not know who wrote this statement for the minister, but she should be embarrassed to stand up in the House and read it.

Mr. Speaker: Order.

Mr. Peterson: Why would the minister not at least try one last-ditch stand to bring about meaningful negotiations? It is not going to cost her anything. The students will be back at work tomorrow or Monday; that is not the issue. At least let us try to salvage something out of this, particularly because it is so important to the long-term relationship.

Hon. Miss Stephenson: Mr. Speaker, the honourable members will not know how long and diligently one laboured in support of attempting to make the collective bargaining process work in this situation. I do not expect it will ever be known. But as a result of this effort, the

legislation that appears to address all the issues in a very appropriate manner is what we have introduced today.

Mr. Rae: I want to go back to the Minister of Education, because if anybody is responsible for the incredible delay in the settlement of this dispute, it is the minister.

I want to ask her a question I put to her before when she said she was practically struck dumb by the information. Why did she refer everything to compulsory arbitration except the matter that has been in dispute for the last six months? Why in settling that issue—which she did not settle; she set up this plethora of committees and bodies out there—did she choose simply to impose by legislation what the employer was asking for in negotiations?

Why did she take that one-sided approach? Does she not recognize that this does more damage to the process of collective bargaining and confidence between the parties than anything else she could have done?

Hon. Miss Stephenson: I am not sure I would call one set of committees and another general committee a plethora. None the less, the local college committees appeared, as a result of my discussions with members of faculty of various colleges, to be an appropriate mechanism to ensure there would be full and free discussion of matters of concern before it became necessary to refer them for grievance arbitration if there was a dispute or a question or an argument about instructional assignment.

There is no doubt that many members of faculty have said very clearly they wanted some avenue that would provide them with the opportunity to talk to those in charge of the assignment of instructional activity within the colleges in some way that was open and free for both sides, and the local committees seemed to provide that.

It seems to me, having read a good deal of the effort that the Honourable Mr. Justice Estey expended in the development of the formula now in place related to work load in the colleges, that it is indeed a very good formula.

The question is whether it is appropriate at the present time. I am not sure this can be decided functionally and finally through collective negotiations, which in this instance appear to be somewhat less than totally friendly. It appeared that there was a much better mechanism for ensuring that an inquiry that provided for the participation of both parties as well as the participation of a thoughtful, wise individual as

chairman would provide that kind of foundation. This is the reason for appointing the committee.

Mr. Rae: I hope the minister understands what grievance arbitration really means. I have a copy here of two awards, an interim award and a final award, dealing with the question of work load in the community colleges. It was filed on October 17, 1980. The interim award came down on June 21, 1982, and the final award came down on April 30, 1984. That is what the minister's deskmate would call staged process. That is the kind of timing of solutions that she is proposing.

Does the minister realize that by relegating this process to individual grievance arbitration for all the teachers in the 22 community colleges, she is effectively strangling any possibility of a resolution of the question of work load? She is relegating them to a process that takes months and months and indeed, four years in order to reach a settlement of one individual grievance. Is the minister aware of that kind of problem in the process?

Hon. Miss Stephenson: I thought I had just said I was aware of it and that we were trying to find a way to ensure there was some preventive mediation in this whole area of activity, which could provide solutions so there would not be a long delay in finding resolutions to problems related to work load.

Mr. Conway: Mr. Speaker, can the minister help me understand how her college instructional assignment committees set out in her position today are not just a recipe for a hung jury? How is it that under the conditions we now have, with an agreement to get the students back to classes immediately, it is not now worth another attempt at a negotiated settlement of these very troubling questions of quality of education and instructional assignments?

Hon. Miss Stephenson: Mr. Speaker, I can tell the honourable member that in several colleges within the system there are now models that can be used as the basis for the college instructional assignment committees. They are functioning very effectively and as a result of their existence, the relationship between the employer and the employee has improved tremendously.

They are in fact functional. Therefore, we are attempting to ensure they will be introduced in all the colleges as a preventive mediation activity, because that is what we need in certain of our institutions at the present time.

Mr. Rae: If the minister is so sure she is right—and, by God, she is always sure she is

right—why does she not send this issue to arbitration along with everything else? Why is she making an exception for this issue? Why not include it in part of the general package?

Hon. Miss Stephenson: I doubt there is any human being who has practised medicine who is ever consistently sure he or she is always right, and I therefore resent the remark made by the honourable member. I have already answered his question.

Mr. Rae: With respect, I think the minister has not answered the question.

Mr. Peterson: In the absence of the Attorney General (Mr. McMurtry), I will stand down my second question.

ACTIVITIES OF POLICE

Mr. Rae: Mr. Speaker, we are obviously going to return to that matter, as it will be discussed today. I would now like to turn my attention, in the absence of the Attorney General (Mr. McMurtry), to the senior lawyer in the government who is here, and that, of course, is the Premier.

He is pointing to his seatmate, but as long as the Premier is here, he is going to be asked questions. That seems fair.

Hon. Mr. Davis: Mr. Speaker, on a point of privilege: the Deputy Premier (Mr. Welch) has been at the bar longer than I have.

Mr. Rae: They can have a fight between themselves as to which of them is the older. That is up to them to decide.

Mr. Speaker: Question, please.

Mr. Rae: I would like to ask a question of the Premier that is important. It deals with the very tragic case of William Franklin Baker. I am sure the Premier is acquainted with the case. There have been many questions asked by my colleague the member for Riverdale (Mr. Renwick) both to the Attorney General and to the Solicitor General (Mr. G. W. Taylor).

I remind the Premier that Mr. Baker is a young man who was arrested in Hamilton, was held in custody for about four months and was charged by the police with murder. Then, as the matter was about to proceed to court, the crown attorney decided to withdraw the case and to drop all charges against Mr. Baker because of the fact there were some very real questions about the manner in which the confession was worked out of Mr. Baker.

2:40 p.m.

This matter has gone on for some time. It has been in the hands of the Solicitor General. There

is apparently a report by the Ontario Provincial Police in the hands of the Solicitor General and it has been there for about two months. We have been waiting patiently for him to tell us what is going to happen.

This young man was held in custody for a period of time and the charge was dropped. Is it the intention of the government to compensate him for that detention? Is it the intention of the government to compensate his father, who spent thousands of dollars he could not afford to retain a lawyer? Does the Premier not think it is legitimate that those kinds of steps be taken?

Hon. Mr. Davis: Mr. Speaker, I do not intend to comment as to whether they are legitimate or not. I think everybody has a very genuine sense of concern over this issue.

I should say to the member for York South that the Attorney General is very close at hand. He has been delayed somewhat by members of the press gallery who are seeking answers from him relative to the question the Leader of the Opposition (Mr. Peterson) was probably going to ask. I would just say to the honourable member that the minister may have some thoughts to share on this issue. I expect he will be here very shortly.

Mr. Rae: In the light of that, I wonder if it would be permissible for me to stand down my next two questions supplementary to that and address them to the Attorney General.

Mr. Speaker: New question, the honourable member for Kitchener-Wilmot.

Mr. Peterson: Mr. Speaker, you allowed him to stand down—

Mr. Speaker: With all respect, I think the problem is the same as you have. The minister in question is not here, so let us get on with the business.

Mr. Peterson: The rules change every day.

Mr. Speaker: The rules are not changing, with all respect.

[Later]

Mr. Rae: Mr. Speaker, while the Attorney General—

Mr. Speaker: I would have to suggest to the member that he ask the question of the Premier, because the original question was to him. Then the Premier can redirect.

Hon. Mr. Davis: Mr. Speaker, I would be delighted to suggest that the two supplementaries be redirected to the Attorney General. I am sure his answers will be edifying to the member.

Mr. Speaker: It is one supplementary actually.

Mr. Rae: Is that tackle to guard or guard to tackle? I am not sure which.

Mr. Rae: Mr. Speaker, the question I want to ask the Attorney General deals with the case my colleague the member for Riverdale has been asking about in this House for many months. I know he has been in correspondence with the Attorney General personally for many months. He and I have discussed the case at some length.

It is in regard to the very difficult circumstances around the arrest, the confession and later detention for many months of a 17-year old youth in Hamilton.

Can he confirm there is a report that has been in existence for nearly two and a half months? Can he confirm it has been in the hands of his ministry and that of the Ministry of the Solicitor General for that time?

Finally, can he tell us when the government will be making a decision on two questions: first, about the conduct of the police, whether there is going to be a further investigation into the Hamilton-Wentworth police force in this matter; and second, whether any consideration is being given to compensation for Mr. Baker and his family for the pain they suffered?

Hon. Mr. McMurtry: Mr. Speaker, as I recall, the report to which the leader of the New Democratic Party refers is the report the Solicitor General acknowledged he had just received during this session; I think less than a month ago. In any event, the report from the Ontario Provincial Police was prepared for the Solicitor General and a copy of that report was provided to the senior officials in our ministry who are responsible for the administration of the criminal law in Ontario.

I can advise the leader I spoke about the Baker report as recently as this morning to Mr. John Takash, director of the criminal law division in the ministry. He indicated he was not in a position to make any recommendations to me until he had obtained additional information from the OPP. He has asked for additional information on specific and important matters related to this whole unhappy affair. Until he has this additional information, he will not be making any recommendations.

Mr. Elston: Mr. Speaker, the Attorney General will recall there were indications in this House by the Solicitor General with respect to the results of the report and making it available to the House. He will also recall he has been asked by the member for Riverdale on several occasions

about a public inquiry into the circumstances surrounding the allegations of misconduct.

Can the Attorney General now tell this House that he will provide for us a public airing of this whole matter so that we can deal not only with the conduct of the police in relation to Mr. Baker, but also with the conduct of the police when they are dealing with individuals such as Mr. Green, I believe his name is, here in Toronto? Mr. Green also alleges certain beatings took place in relation to arrests being made.

Can the Attorney General give us the undertaking there will be a thorough public investigation, either under the auspices of the Ontario Police Commission or in some other way, in which the public can be assured this will not happen again?

Hon. Mr. McMurtry: Mr. Speaker, I think the public is certainly entitled to the fullest possible explanation. It is very difficult for me to suggest what might be the appropriate course of action at this point, given the fact I have not read the report. It is a very voluminous report and I have not read it myself. Obviously, once the report and the recommendations have been dealt with, I hope to deal with the report at some length.

However, the option suggested by the member for Huron-Bruce is always available to the government. All I can say to him at this time is that I agree the public is entitled to, at the very least, a full explanation and accounting of what I have already described as "a very unhappy affair."

Mr. Rae: This came to light at the end of April 1984. That is many months ago. I think the Attorney General would surely agree this is one of the most extraordinary cases in terms of reflecting on the conduct of the police and on the administration of justice in Ontario.

Can the Attorney General assure us the report of the OPP will be made public? In his response to the report, which I hope he will make to this Legislature very soon, can he assure us he will deal not only with the conduct of the police but also with the question of whether criminal charges are going to be laid?

Finally, and perhaps most important, I think all members would agree that we should not lose sight of what has happened to this young man whose life was devastated by this arrest, these series of charges and the very lengthy time in detention. Does the minister not think he is entitled to compensation if it is found the police acted improperly and there were no grounds for the accusations?

Hon. Mr. McMurtry: I will reiterate, first, that I have not read the report. Second, I have been advised by Mr. Takash the information he requires is not yet complete. Until I have had an opportunity to obtain the necessary information, I am not going to give any specific undertakings. I must see the report and have an opportunity to review it in some detail.

I remind the leader of the New Democratic Party that so far as the conduct of the Ministry of the Attorney General in relation to the administration of justice in Ontario is concerned, the counsel for Mr. Baker had nothing but praise for my local crown attorney and his office for the manner in which this matter was handled.

Mr. Peterson: If the Attorney General wants to be Premier, he had better start reading things.

Mr. Speaker: Order.

PSYCHIATRIC PATIENTS

Mr. Sweeney: Mr. Speaker, I have a question for the Premier. I have a copy of a letter addressed to the Premier and signed by Pat Capponi, who was on the Mayor's Action Task Force on Discharged Psychiatric Patients, with respect to discharged ex-psychiatric patients. In that letter, it is drawn to our attention that when the member for St. Andrew-St. Patrick (Mr. Grossman) was the Minister of Health he visited Parkdale and saw the tragedy there. One of the places he visited was 1241 King Street West. He met seven ex-psychiatric patients.

Since this letter was given to the Premier about 10 days ago, I would draw to his attention that of the seven ex-psychiatric patients he met, five of them are now dead. Peter threw himself in front of a subway train—

Mr. Speaker: Question, please.

Mr. Sweeney: —Gerry died in the dining room; John's cancer finally killed him; Murray, who was in his 60s, never knew why he was there, and being out all night in all weather hastened his death; Margaret, hungry and penniless, died in her sleep.

Five of the seven died, despite the fact that while he was Minister of Health the member for St. Andrew-St. Patrick accepted the responsibility for ex-psychiatric patients.

Last Saturday, November 3, the member for St. Andrew-St. Patrick was given an award by the Canadian Mental Health Association for his work. In accepting the award, he said: "We have taken some important steps. We must maintain that momentum and increase our commitment."

We were told yesterday by the Minister of Health (Mr. Norton)—

Mr. Speaker: Question, please.

Mr. Sweeney: —there was not a single cent in this year's budget to meet the commitment that was made to look after ex-psychiatric patients—

Hon. Mr. Norton: That is not true.

Mr. Speaker: Order, please. Will the honourable member please place his question?

Mr. Riddell: He did. He said, "Can you?"

Mr. Speaker: Order. There were interjections on this side.

Mr. Sweeney: The minister told us there was no money in the budget this year to meet this need.

Hon. Mr. Norton: That is not true.

Mr. Speaker: Let the member place his question, please.

Hon. Mr. Norton: That is not what the member was told.

Mr. Speaker: Order.

Mr. Sweeney: Would the Premier not think it is totally inappropriate for the Treasurer (Mr. Grossman), the former Minister of Health of this province, to accept such an award from the Canadian Mental Health Association, given that kind of record?

Hon. Mr. Davis: Mr. Speaker, as I try to understand the nature of the question after the preamble, I really expected some other form of question. The honourable member is really asking me whether it is appropriate for the Treasurer of this province to receive an award from the Canadian Mental Health Association. In essence, that is really what he has asked me.

I am amazed that is his question after what he was reciting to the House. I can only say to the member that if he wishes to dispute the judgement of the mental health association, he may do so. I am not going to question its judgement.

Hon. Mr. Norton: Mr. Speaker, on a point of privilege: I would not normally rise at this point. I think it is important that the House be accurately informed as to what the honourable member is referring to, in that he has suggested something that I think he misunderstood. He asked a question yesterday in estimates in relation to a particular project in Metropolitan Toronto and I responded to what he said—

Mr. Speaker: Order. The minister will please resume his seat.

Mr. Sweeney: Mr. Speaker, I have in front of me a copy of the mayor's task force report written by Dr. Reva Gerstein, with the preface page

signed by the Premier indicating his support for this. The Minister of Health is correct; I stand partially corrected.

It was drawn to our attention yesterday that despite the fact this report was in the Premier's hands, in the minister's hands and, I have to assume, given his past commitment, in the Treasurer's hands prior to the budget, nothing was put in this year's budget to implement this report.

Given the fact that people are dying daily, what does the Premier, still the first minister of this province, intend to do to maintain his commitment to implement this report before more people die?

Hon. Mr. Davis: If the member understands all of it correctly, he will understand the government is in the process of supporting this report, not just with respect to the philosophy here in Metropolitan Toronto but on a more general basis. I just heard the Minister of Health explain to the member—I assume this item was discussed in estimates—that he perhaps inadvertently took an erroneous impression from what was said. I phrase that in a very kind way.

I go back to the member's main question. If he really feels the Treasurer should not have received that award from the mental health association, why does he not communicate with the association and say it was wrong in its judgement?

Mr. McClellan: Mr. Speaker, although the minister did say that commitments would be made and that commitments would perhaps be made in dollar terms at a meeting to take place some time in the future with the mayor of the city of Toronto, as of yesterday no funds were earmarked in anybody's budget for the contract alternative projects recommended in the Gerstein report.

From a conversation I had this morning, I understand the interministerial committee has now found itself without even a chairman. The Premier has been delaying and procrastinating since January 1984. That is an accurate reflection of the realities. There is still no money allocated, as of the information we received yesterday.

When is the Premier going to allocate some funds to the appropriate officials at the municipal level or on a partnership basis so that the housing facilities with support services for ex-psychiatric patients can be put in place? Are we going to have to go through another winter before this happens?

2:50 p.m.

Hon. Mr. Davis: Mr. Speaker, I doubt that we will have to go through another winter. As I

recall my communication to the mayor of the city, I indicated to him the series of meetings or steps that should be pursued to bring this to some form of finality. I cannot put a specific timetable on it. I am just going by memory. I think I sent the letter to the mayor some three or four days ago.

I think the posture of the ministry, when it comes to some matters of mental health, is that funds are not necessarily earmarked. There may be funds in the ministry's estimates this year that could be used for that purpose.

MORGENTALER TRIAL

Mr. Peterson: Mr. Speaker, this is a stood-down question and a stood-down supplementary to the Attorney General. I understand he has already given a statement outside this House with respect to his actions and the actions of his department with respect to the Morgentaler trial. Would he please bring the House up to date on what he is going to do, what his plans are?

Hon. Mr. McMurtry: I have not made any statement outside the House, Mr. Speaker, other than to respond to questions from the media. There has been enormous public interest in this matter. I simply advised the media that I knew nothing more of the conduct of the trial, or the result of it, than what I had read, heard or seen in the media. I said I would not be making any comment or any statement here or outside the House until I had an opportunity to be briefed by the officials in my ministry responsible for the conduct of criminal prosecutions.

Mr. Peterson: Is the Attorney General saying he has not made a decision yet on whether to proceed with any further prosecutions, whether to appeal, or what he is going to do?

It appears to me from the case this morning that juries in this country are not prepared to convict under the existing law. Has the Attorney General entered into negotiations with his federal colleague Mr. Crosbie with respect to the law in this matter? What are his determinations in that regard?

Hon. Mr. McMurtry: I repeat that I am not going to make any comments until I have had an opportunity of being briefed about the conduct of this trial. This, at the very least, would start with the report from crown counsel who conducted the prosecution. To make a statement at this time would not only be premature but perhaps a little irresponsible.

Mr. Rae: Mr. Speaker, I wonder if we could have the assurance of the Attorney General that at the time he makes whatever statement he does,

he will respond to many of the issues raised at the trial that must have had some impact on the jury? Will he consult with his colleague the Minister of Health (Mr. Norton) and respond with respect to inequality of access, the length of time it is taking for therapeutic abortion committees to consider various appeals that are made to them, and the very cumbersome procedures that appear to be there?

Would it not be reasonable for both ministers to make a response to the jury's decision today in that regard?

Hon. Mr. McMurtry: I repeat what I said to the Leader of the Opposition; I am not going to respond until the ministry has had an opportunity to review this matter in some detail.

DEMOLITION CONTROL

3 p.m.

Mr. McClellan: Mr. Speaker, I have a question for the Attorney General with respect to the three apartment buildings on Eglinton Avenue West which are owned by Mr. Axelrod and are facing imminent demolition. Is the Attorney General aware that the city of Toronto is under threat of a citation for contempt of court if the demolition permit is not issued, as I understand it, by 10:30 a.m. tomorrow?

Second, is he aware that the city council has adjourned its regular council meeting today in order to avoid having to issue the demolition permit or to be found in contempt of court? They have rescheduled their meeting for 9:30 a.m. tomorrow to give the cabinet one last opportunity to prevent the demolition of the three buildings.

If the Attorney General is aware of those two facts, could he share with us what action the cabinet might be able to take to prevent the demolition of these buildings?

Hon. Mr. McMurtry: Mr. Speaker, as I understand the situation, the demolition is not imminent. I am informed, first of all, as the member properly points out, that the demolition permit has not yet been issued. It could be issued very shortly, but 120 days' notices will be required for the tenants. So the demolition is not imminent.

In our consideration of this matter, one of the questions we would like answered by the city of Toronto council is its intention in seeking retroactive legislation and in seeking a further delay, the reasons for which I understand and, indeed, have some sympathy with. The legislation the city of Toronto wants to apply to this property would provide a moratorium of 365 days during which the city of Toronto would

have to decide whether to purchase the properties or to expropriate them. To date, the city of Toronto has not given any indication whatsoever that it would like to follow either course.

Mr. McClellan: The reality is that the deadline is 10:30 a.m. tomorrow with the council meeting at 9:30 a.m. The Attorney General mentioned one of the possible routes out, which has to be accomplished before 9:30 a.m. tomorrow.

Two bylaws were passed in 1981 by the city council of Toronto: one, the depth bylaw, which has been referred to the cabinet on appeal against a decision of the Ontario Municipal Board; and two, the minimum unit density bylaw, which is also sitting in front of the cabinet for a decision on appeal from an OMB decision.

I understand both these bylaws would be grounds for the city to refuse the demolition permit. May I ask the Attorney General whether it is possible, even at this late hour, for the people on the government side to come to their senses and to deal with these matters before the buildings are torn down?

Hon. Mr. McMurtry: I think the government has and will continue to act as responsibly and reasonably as we can in relation to the preservation of affordable rental accommodation. The very fact there has been a delay of several years, as a result of which these buildings are still there, is a direct reflection of our concern in this matter.

Mr. Peterson: Mr. Speaker, the council is going to have to issue that permit. The Attorney General knows it and I know it. That means 120 days later those buildings will go down.

The government is the only one right now that can save those buildings. The minister can fool around, he can equivocate, he can say he has not read the appropriate documents and he can say he has not seen an appropriate amendment, even though we sent it to him.

Mr. Speaker: Question, please.

Mr. Peterson: But he knows and I know the power rests with the minister. It is an emergency. Is he going to save them or not? If so, he has to do it today.

Hon. Mr. McMurtry: Mr. Speaker, when it comes to being grossly simplistic, there is no equal to the somewhat mindless approach of the leader of the official opposition to difficult issues. He is without equal probably anywhere in the Commonwealth, and we continue to take off our hats to him in that respect.

Since he has apparently decided he is going to be a messenger boy for the city of Toronto council—and I am not saying that is not a very noble undertaking—he might ask the council whether it is going to acquire these buildings if this further delay is afforded by legislation passed in this House.

Mr. Peterson: Let me appeal to the towering intellect of the Attorney General. How is he going to save those buildings? Is he aware of the deadline? Does he disagree with what will obviously take place in front of our eyes tomorrow and 120 days from now? What are his proposals for saving those buildings?

Hon. Mr. McMurtry: I can only repeat what I said before. The demolition of these buildings has been delayed for at least several years now. We on this side of the House are interested in knowing, if there is going to be a further delay, which in my view could only be afforded by legislation passed in this House. One would have to think carefully through the implications of that: what is going to be accomplished by the further delay?

I ask the honourable member once again to inquire of his friends what they want to do. Do they want to take advantage of Bill Pr3 and acquire these buildings by expropriation or by purchase, or do they just want some further delay for the sake of delay without accomplishing anything else?

Mr. Peterson: The Attorney General is remarkably well informed on this issue, let me tell him. The city of Toronto originally wanted control over demolition. Then a watered-down version of it came in. Now it does not apply to these buildings, and they are going down. The minister knows that and I know that.

Mr. Speaker: Question.

Mr. Peterson: The solution of the problem rests with the government today. I gave the minister an amendment that would save those buildings some time ago. I know the minister reads a great deal and I know he has read it.

Is he prepared now not to fool around asking these questions that just try to get the problem off his back? Is he prepared to use his authority and act to save those buildings; or is he going to just stand up and fool around again, as he did with the last three questions, and let those buildings fall under the wrecker's ball? That is the question. He can ask all the questions he wants. He could have asked them a year or two years ago when this issue was at stake.

Mr. Speaker: Order.

Mr. Peterson: Now he has to act. That determines and sorts out the men from the boys in this business. Is he going to be a man or is he going to be a boy?

Hon. Mr. McMurtry: The Leader of the Opposition certainly knows about the boys in this business.

Mr. Foulds: Take the high road.

Mr. McClellan: That is why you are at three per cent.

Mr. Speaker: Order.

Hon. Mr. McMurtry: I am being provoked, Mr. Speaker. Whatever we do will be the responsible course of action, something that would be very strange to the Leader of the Opposition's method of operating.

3:10 p.m.

Mr. Rae: Mr. Speaker, the Attorney General is certainly a difficult person to provoke. It takes an awful lot to get under his skin, and we certainly would not want to encourage any further outbursts on his part.

I am still not entirely clear whether the Attorney General really understands the urgency of what is happening. I believe he was addressing the Rotary club in Sarnia the night of the most recent meeting, which the leader of the Liberal Party, the member for Bellwoods (Mr. McClellan) and I all attended, at Forest Hill Collegiate Institute in his own riding. Perhaps if he had been at the meeting he would have felt the urgency there. The people feel very strongly about this matter, especially the older men and women who are going to be evicted as a result of this step by Mr. Axelrod.

Does the Attorney General really understand that we are at the end of the road and only intervention by the provincial government is going to save the day? Is he not aware of that simple fact?

Hon. Mr. McMurtry: Mr. Speaker, I think the actions of the member for Eglinton, more than anybody else's efforts, have preserved these buildings over several years. That happens to be a fact. I would just like to say to the leader of the New Democratic Party that he keeps attending meetings in my riding and I never get invited to any meetings in his riding. I am getting a little upset about that.

WATER POLLUTANTS

Mr. Laughren: Mr. Speaker, I have a question for the Minister of Natural Resources concerning a pollution problem in his riding.

Since he has had a consultant's report that indicated the pollution problem in his own riding surrounding the Kam-Kotia Mines site and the pollution of the Kamiskotia River in the immediate vicinity, could the minister tell us why he has been sitting on that report for a year and a half?

Does his preoccupation with secrecy extend even into his own constituency, when the whole question of the viability of that water system is at stake? Can the minister tell us what caused the delay? Why did he not reveal that problem even to the people in his own constituency?

Hon. Mr. Pope: Mr. Speaker, the member is aware through his own researchers that the report was in the regional offices of the Ministry of the Environment and the Ministry of Natural Resources. It called for engineering studies on all the options to assess whether they would be viable. The regional offices were looking at the cost estimates to give specific recommendations to the head offices of the Ministry of Natural Resources and the Ministry of the Environment in Toronto.

He is aware of that. He is therefore aware that until two weeks ago I had not seen or read the report. I was not withholding any report. He seems to have the mentality that says I must release immediately everything that goes on in the ministry, regardless of where it is, before I have an opportunity to look at it and at the options.

I can do a good enough job and have done a good job of representing the people of my riding. The people in the north end of the member's riding want to join my riding because they want government representation.

Mr. Laughren: When they hear this story, they will not.

Mr. Breaugh: They want a nursery.

Mr. Laughren: Yes, they also want a nursery.

Mr. Speaker: Order. Question, please.

Mr. Laughren: It is really remarkable. The minister had that report for a year and a half and did not release it publicly.

Has the minister read the update of that report, dated June 1984, which warned of elevated levels of phenols in that area? In case the minister does not know, phenols very often are carcinogenic in their nature. Those levels have been elevated and that updated study calls for further monitoring to determine what has given rise to those elevated levels. There could be a very serious problem in the vicinity of Kamiskotia Lake where people live.

Does the minister not agree it is now time to act, since the studies have all been done and the alternatives have been put to the minister? The Ministry of the Environment officials are saying there is a problem higher up. They know there is a problem and want it solved. The stumbling block is the Minister of Natural Resources since that property is his responsibility.

Hon. Mr. Pope: The honourable member answered his first question in his supplementary question. There was a follow-up report. We are looking at more specific information and we are continuing to work on the program and to look at alternatives. The member has just admitted in his supplementary question that was true and that there was another report that came out in 1984.

What is this nonsense about sitting on a report for a year and half? That is nonsense. The member knows it, and he knows as well as I do that his research staff started this investigation to time it with my potential announcement of leadership candidacy. His researcher said that.

Interjections.

Mr. Speaker: Order. Will the minister please resume his seat.

Mr. Laughren: On a point of privilege, Mr. Speaker: I want to assure you and the House we have always regarded the minister's leadership aspirations as being irrelevant.

PUBLIC GALLERIES

Mr. Sargent: Mr. Speaker, there are 200 or 300 teachers sitting on the floor in the halls and lounges. I am wondering why they cannot be allowed in the galleries.

Mr. Speaker: If the honourable member will resume his seat, I will attempt to explain why. There was disorder in the galleries, as the members know, and I had to order the galleries cleared.

Mr. Sargent: These are not the same people. They are teachers.

Mr. Speaker: I have no idea who they were, with all respect. Will the member resume his seat?

Mr. Sargent: You do not make any sense.

Mr. Speaker: With the greatest of respect, neither do you. Will the member please resume his seat?

Mr. Sargent: These are responsible people. Let them in.

Mr. Speaker: You are testing my patience.

The Minister of Consumer and Commercial Relations has the answer to two previously asked

questions, which I have deliberately held up. I think this would be the appropriate time to have them.

ORGANIZED CRIME

Hon. Mr. Elgie: Mr. Speaker, I have a response to a question raised by the member for Brant-Oxford-Norfolk (Mr. Nixon) on October 22, 1984, regarding certain decisions made by the Liquor Licence Board of Ontario relating to Nick Vasilaros, who operated a licensed establishment in Peterborough and subsequently in Windsor.

In this question, the member raised two issues. The first was in regard to the general conduct and character of the applicant. When a numbered company, 564163 Ontario Ltd., applied to the board for approval of a transfer to it of the liquor licence of Studio Four Tavern in Windsor, the board followed its usual practice of obtaining copies of the letters of incorporation of the numbered company, a police report about the principal of the company and financial and other information about the applicant.

All the information filed with the board showed Mr. Nick Vasilaros was the sole officer and shareholder of the corporation and one Kevin Doyle would be the manager. No other person is shown to be involved in the application for the licence or operation of the premises. The report advised there was nothing of a derogatory nature about Mr. Vasilaros. I am advised, however, that the board has asked one of its investigators to look into the matter. I have also brought the matter to the attention of the Solicitor General (Mr. G. W. Taylor) for his review.

The member also questioned the chairman's behaviour with respect to the licensed establishment with which Mr. Vasilaros was involved in Peterborough. He suggested the chairman overruled a decision of the board. The facts of the case are that the board issued a proposal to revoke a licence because of a concern that the food-liquor ratio was not being met. When such a proposal is issued by the board, it normally results in a hearing.

In this case, the hearing was held by two members, not including the chairman, and that board concluded that the evidence presented did not justify a revocation of the licence. The decision of the hearing went to the chairman, who signs all decisions of the board, whether or not he makes them. He did not alter the hearing board's decision.

Mr. Nixon: Mr. Speaker, is the minister indicating that as far as he is concerned the

licences were granted in accordance with the regular procedure of the LLBO in spite of the information revealed in the Windsor Star, which I quoted in the question? Is he prepared to allow those licences to stay as they are with those particular people having the responsibility of operating under the licences?

I would also ask whether the minister received a letter from the mayor of Windsor bringing the importance of the matter to his attention and calling for a full review on a priority basis.

3:20 p.m.

Hon. Mr. Elgie: Mr. Speaker, the member knows full well what I just said. I said the board went through the usual process of obtaining copies of information about the company, obtaining a police report about the principal and obtaining financial and other information about the applicant, and none of it was found to be of a derogatory nature.

But in view of the information that has been given to me by the member and in view of the information reported in the press, I have already advised that the board should ask one of its investigators to look into the matter. I have also advised the member that I have drawn the situation to the attention of the Solicitor General for whatever review he thinks is appropriate.

HEARING FOR LIQUOR LICENCE

Hon. Mr. Elgie: Mr. Speaker, I have a reply to a question raised by the member for Waterloo North (Mr. Epp) on October 22 respecting a hearing conducted by the Liquor Licence Board of Ontario regarding the liquor licence of the Breslau Hotel.

I have reviewed the matter with the chairman. He has informed me that the board had before it documentary evidence consisting of police reports of occurrences at the hotel supplemented by oral testimony given by local police officers.

The major issue was whether from time to time employees of the hotel had used excessive force in ejecting patrons from the premises. As the member is aware, the Liquor Licence Act allows the board to suspend or revoke a licence if the past conduct of the officers and directors of a corporation affords reasonable grounds for belief that its business will not be carried on in accordance with the law.

The board may also suspend or revoke if the licence holder is in breach of a term or condition of his licence. The terms of a licence are set out in section 8 of the regulations. One of these terms is that the licence holder shall not permit drunkenness or any riotous, quarrelsome, violent or

disorderly conduct to take place in the licenced premises.

The board concluded from the evidence that most of the incidents in question occurred where the hotel employee had refused service to a patron or had asked the patron to leave because the patron was becoming intoxicated and the patron resisted and the hotel employee used force to remove the patron.

Section 46 of the act places responsibility on such a licence holder to ensure that a person who is contravening a law does not remain on the premises. The section gives the licence holder powers to remove the person using no more force than is necessary.

In determining whether or not excessive force was used by the employees, the board considered whether or not the hotel owner or any employees had been convicted of assaulting patrons and, as far as the board could ascertain, neither the hotel nor any of its employees had ever been convicted of assault or any offence under the Liquor Licence Act. It also concluded that there was no other evidence to justify a revocation of the licence.

With regard to the death that occurred, I am advised it was the result of a fight between two customers who left the licensed premises to settle their differences outside. I am further advised that evidence indicated that the two men were not intoxicated when they left the premises and that one is now in prison for a lengthy term, having been convicted of manslaughter.

Mr. Epp: Mr. Speaker, I have a supplementary with respect to this. I want to remind the minister that between 1979 and 1982 the special assignment unit of the Waterloo Regional Police itemized for the liquor licence board 76 incidents that occurred at the Breslau Hotel.

The most serious of these incidents was the death of Timothy Johnson, and the list also included 37 cases of assault, 22 disturbances, eight drinking and alcohol-related incidents, four reports of indecent acts, two incidents involving minors, two involving narcotics and one involving the possession of stolen property. Further, the LLBO has on record a litany of reports on two of the main actors in the case, one being Mr. Gofman, the owner and president of that particular unit, who was cited as not co-operating with the police with respect to this.

Mr. Speaker: Question, please.

Mr. Epp: My question is this: Given the circumstances, the very peculiar lack of action and the fact that none of these particular issues was at all drawn to the attention of the board

when the board had its hearing, will the minister order a new hearing? Second, will he order an inquiry into the LLBO itself?

Hon. Mr. Elgie: Mr. Speaker, first, I do not have the authority to order a new hearing. Second, I certainly would not order an inquiry into the LLBO itself, because I have nothing but the greatest respect for the citizens who serve on that board, who try to exercise their judgement in the best way they can, and who do it with a great deal of dignity. We should be proud of it. That is not to say that there might not be events going on that are troublesome.

I remind the member that under the Liquor Licence Act, the board may revoke a licence where continuance of a licence is not in the public interest, having regard to the needs and wishes of the public in the municipality in which the premises is located. No such complaint has ever been received and this provision provides a basis for further review should the public of that community express an opinion and justify that decision.

PETITIONS

COMMUNITY COLLEGE LABOUR DISPUTE

Mr. McKessock: Mr. Speaker, I would like to table the following petition:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"Being a parent whose daughter was to have graduated in December 1984, I feel it necessary for the provincial government to legislate college teachers back to work. Today I have obtained signatures of 94 people who agree.

"The college teachers' strike has been going on for three weeks. It shows that the teachers, the union and the government do not care for the students' welfare. The students today have been used as pawns. A lot of Ontario student assistance program funding, tuition money, rent money, etc., will be wasted. Some students are dropping out a year away from graduation."

It is signed by Shirley McDougall and 94 other people from the Meaford-Thornbury area.

Mr. Sweeney: Mr. Speaker, on behalf of 982 students at Conestoga College, I present the following petition:

"We, the undersigned, do hereby petition the Lieutenant Governor and the Legislative Assembly as follows:

"We are on neutral ground. We are not concerned with who is right or who is wrong. We

only want our education. We cannot afford to lose our year. Our future is on the line. There is a large majority of concerned individuals who are of voting age who have been following the actions of the government with regard to the handling of this strike. This majority not only includes students, but also parents and families of students, present employers who are subsidizing the education of students, prospective employers and many others.

"If the present situation is not rectified, we will not re-elect those in office. We all know that education is valuable. Every day that goes by without an end to the strike is lost for ever. We demand a quick end to the strike by whatever means necessary."

As I said, it is signed by 982 students from Conestoga College, which is in my riding.

REPORTS

STANDING COMMITTEE ON REGULATIONS AND OTHER STATUTORY INSTRUMENTS

Mr. Robinson from the standing committee on regulations and other statutory instruments presented the following report and moved its adoption:

Your committee begs to report the following bill with certain amendments:

Bill Pr26, An Act respecting the Chartered Industrial Designers.

Motion agreed to.

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Mr. Robinson from the standing committee on social development presented the following report and moved its adoption:

Your committee begs to report the following bill without amendment:

Bill 119, An Act to amend the Education Act.

Motion agreed to.

Bill ordered for committee of the whole House.

3:30 p.m.

MOTION

BUSINESS OF THE HOUSE

Hon. Mr. Wells moved that, notwithstanding the provision of standing order 64(a), government business be considered this afternoon.

Motion agreed to.

INTRODUCTION OF BILLS

INCOME TAX AMENDMENT ACT

Hon. Mr. Gregory moved, seconded by Hon. Mr. Eaton, first reading of Bill 131, An Act to amend the Income Tax Act.

Motion agreed to.

Hon. Mr. Gregory: Mr. Speaker, amendments in the bill will bring the administrative provisions of the Ontario act into line with the federal Income Tax Act, which was amended on March 30, 1983, as a result of the enactment of Bill C-139. Amendments are also proposed to provide that the calculation of the social services maintenance tax, foreign tax credit and other Ontario tax credits will not be affected by any forward-averaging tax or tax credit. These amendments are required under the personal income tax collection agreement Ontario has signed with the federal government.

The bill also contains an amendment clarifying the computation of Ontario tax payable as a result of the introduction of new federal income tax credits early this year. The amendment will provide that Ontario tax is calculated on the basis of federal tax payable before the deduction of any federal share-purchase tax credit.

CITY OF SUDBURY HYDRO-ELECTRIC SERVICE AMENDMENT ACT

Hon. Mr. Bennett moved, seconded by Hon. Mr. Eaton, first reading of Bill 132, An Act to amend the City of Sudbury Hydro-Electric Service Act.

Motion agreed to.

DISTRICT MUNICIPALITY OF MUSKOKA AMENDMENT ACT

Hon. Mr. Bennett moved, seconded by Hon. Mr. Eaton, first reading of Bill 133, An Act to amend the District Municipality of Muskoka Act.

Motion agreed to.

REGIONAL MUNICIPALITIES AMENDMENT ACT

Hon. Mr. Bennett moved, seconded by Hon. Mr. Eaton, first reading of Bill 134, An Act to amend certain acts respecting Regional Municipalities.

Motion agreed to.

ONTARIO UNCONDITIONAL GRANTS AMENDMENT ACT

Hon. Mr. Bennett moved, seconded by Hon. Mr. Eaton, first reading of Bill 135, An Act to amend the Ontario Unconditional Grants Act.

Motion agreed to.

Interjections.

Mr. Speaker: Order. Will the member for Sudbury East (Mr. Martel) just sit back and relax for a few minutes. Thank you.

ASSOCIATION OF REGISTERED INTERIOR DESIGNERS OF ONTARIO ACT

Mr. Mitchell moved, on behalf of Mr. MacQuarrie, seconded by Mr. Robinson, first reading of Bill Pr33, An Act respecting the Association of Registered Interior Designers of Ontario.

Motion agreed to.

COLLEGES OF APPLIED ARTS AND TECHNOLOGY LABOUR DISPUTE SETTLEMENT ACT

Hon. Miss Stephenson moved, seconded by Hon. Mr. Wells, first reading of Bill 130, An Act respecting a Labour Dispute between the Ontario Public Service Employees Union and the Ontario Council of Regents for Colleges of Applied Arts and Technology and the Boards of Governors of Colleges of Applied Arts and Technology.

Interjections.

Mr. Speaker: I have not asked the question yet. Is it the pleasure of the House the motion carry?

Some hon. members: No.

Mr. Speaker: All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Call in the members.

3:56 p.m.

Mr. Speaker: Before proceeding with the business of the House, I would like to point out to all honourable members that I have again reopened the public galleries. I would ask our guests in the galleries to please respect the rules of the House and not partake in any form of demonstration.

The House divided on Hon. Miss Stephenson's motion for first reading of Bill 130, which was agreed to on the following vote:

Ayes

Andrewes, Ashe, Baetz, Bennett, Birch, Bradley, Brandt, Conway, Cousens, Cureatz, Dean, Eakins, Eaton, Edighoffer, Elgie, Elston, Epp, Fish, Gillies, Gordon, Gregory, Haggerty, Harris, Havrot, Hodgson, Johnson, J. M., Jones, Kells, Kennedy, Kerr, Kerrio, Kolyn, Mancini, McCaffrey, McCague, McGuigan, McKessock,

McLean, McMurtry, McNeil, Mitchell, Newman, Nixon, Norton, O'Neil;

Peterson, Piché, Pollock, Pope, Ramsay, Reed, Riddell, Robinson, Rotenberg, Runciman, Ruprecht, Ruston, Sargent, Scrivener, Shymko, Snow, Spensieri, Stephenson, B. M., Sterling, Stevenson, K. R., Sweeney, Taylor, J. A., Treleaven, Van Horne, Watson, Welch, Wells, Williams, Worton, Wrye, Yakabuski.

Nays

Allen, Breauth, Bryden, Charlton, Cooke, Di Santo, Foulds, Grande, Laughren, Lupusella, Mackenzie, Martel, McClellan, Philip, Rae, Stokes, Swart.

Ayes 76; nays 17.

BUSINESS OF THE HOUSE

Hon. Mr. Wells: Mr. Speaker, before the orders of the day I should indicate to the House that, rather than the business that had been announced, we will not be proceeding with private members' resolutions and bills this afternoon and we will not be proceeding with the Theatres Amendment Act tonight. We will now embark upon second reading of Bill 130.

ORDERS OF THE DAY

COLLEGES OF APPLIED ARTS AND TECHNOLOGY LABOUR DISPUTE SETTLEMENT ACT

Hon. Miss Stephenson moved second reading of Bill 130, An Act respecting a Labour Dispute between the Ontario Public Service Employees Union and the Ontario Council of Regents for Colleges of Applied Arts and Technology and the Boards of Governors of Colleges of Applied Arts and Technology.

Mr. Peterson: Mr. Speaker, I would have assumed that the minister would have had a speech she wanted to make today on this bill in order to justify it.

I ask the members to look at what transpired today. This bill came off the presses with the ink still wet at about 11 o'clock this morning, with a number of sections that in my view are ambiguous at best.

We are in a difficult position with this bill because we respect that the principle of the bill is to end the strike and get the students back into the classrooms. We believe that is of paramount interest at the moment. We have seen a breakdown in the negotiations, an impasse characterized—I do not think I am overstating it—by a lack of trust and by bad feelings. Given the present situation, it is our considered view

that there does not appear to be any way to reach a speedy resolution.

I wish it were different. We were hoping, indeed praying, for a negotiated settlement to this issue. In the last three weeks, we in our party have put forward to the minister suggestions and ideas as to what we would have done. We thought her intervention and even the intervention of the Premier (Mr. Davis) not only would have gone a long way towards cutting out the cancer that had developed but indeed would have gone towards a speedy resolution of this problem. None of that transpired and here we are today in the sad situation of ending a strike through a legislative means.

We have the option of holding it up for another day or two or three, or a week. We in the opposition have that power. I would suggest that would be irresponsible and we should proceed with haste not only in second reading but also in committee. I would hope we could resolve this issue by tonight when the House rises. I would also hope the colleges would be open tomorrow morning. Obviously there are going to be some adjustments. Let us move now rather than deferring it. It seems to me that any attempt to hold it up for a day or two or three, given the circumstances, would be irresponsible.

I am mindful of the might of the government in a majority situation and I am hopeful my suggestions will be considered by the government; it has the ultimate power. I am persuaded that what the government has put forward in this bill is superficial and wrong. It is not going to solve the problem. I will discuss our solutions a little later, but I believe if the government were just a trifle more sensitive and were prepared to explore other options, then we would have a chance to salvage something from the ashes of the miserable situation that has developed.

I will discuss my ideas in that regard. It is not our intention to hang on, ringing bells at first, second and third reading, filibustering and that kind of thing. I want to put forward our ideas, if I may.

The minister would argue we need another inquiry, that we have to know the facts of this matter. If she does not know the facts, she does not deserve her job. This issue has been studied and inquired to death. It has been discussed in almost every forum. I can go through a litany since 1975 of thoughtful studies that have thrown light on the question with which we are dealing today.

What has happened today was no surprise to any thoughtful observer of the scene. It was a

long time in coming, it was predictable, and that is the tragedy. Because it was predictable, it was preventable. The minister, in her usual conciliatory way, chose to drive the ships headlong into each other and let us deal with the carnage. That is the great sin and fault of this minister.

Everybody knew this was coming. I will make this prediction about what is going to happen in the university and post-secondary sectors. We are headed for a period of labour turmoil because of bad faith, inadequate funding policies and lack of sensitivity to the parties involved. One cannot continually run a free society legislating people, forcing them back to work.

It could have been prevented. We gave enough specific suggestions along the way. I believe with more sensitivity this could have been solved and we would not have to be here today. It is a sorry day and I am not at all proud of what is happening in this House.

I go back to 1975 and the Estey arbitration. It was a three-year study, a very thorough investigation of many aspects related to issues we are still discussing and which were on the table during this negotiation.

In 1980 the union conducted a survey. There were 5,000 forms sent out and more than 1,800 responses. More than one in three of the teachers responded. It was a thoughtful work load study.

In 1981 the Employee-Employer Relations Committee was established. In June 1981 it had a draft report of the minister's Task Force on College Growth which, to the best of my knowledge, is still secret. We would not even have a copy if it had not been purloined. There are too many things in there that are too embarrassing to the government to discuss in a public way.

4:10 p.m.

I do not want the minister to tell me this is a surprise or that this strike was not predictable. In March 1982 there was the first Employee-Employer Relations Committee work load survey; in September 1983, Full-time Post-secondary Programs at Ontario Colleges: Patterns, Issues and Implications, again dealing with essentially the same issues; in November 1983, the second Employee-Employer Relations Committee work load survey; in June 1984, the task force on-college productivity.

How many does the minister want before she is persuaded we have had too many? This government has a fixation with studies and inquiries. It is the politics of deferral. I could look at almost any given policy area or contentious issue this government is supposed to be dealing with and it

is in the hands of a committee, whether it is the Thom report, the trust companies affair or whatever. There is always an excuse for not facing up to its responsibilities, always an excuse for inaction. That is the hallmark of this administration.

Whoever the next Premier is, following the current one, he is going to have a great many problems to deal with unless, of course, he decides to read again from the Tory hymn book and have more studies, more commissions and more inquiries.

We know this is a divisive problem and a real problem. I have talked with students and teachers and my colleagues have all talked with students and teachers in their ridings and across this province. We are all persuaded to a man that this is a real problem. It is not a figment of the imagination of the teachers or of the union. They were expressing their frustration in the only way possible under the law when they walked out on a legal strike.

I share their frustration with this government's educational policy. I have a great deal of sympathy for them in regard to the conditions under which they have been working. To watch the turning of the thumbscrews or the slow strangulation of a system that could be great, I believe, is a tragedy. If we look at our record in educational policy generally, the deterioration of funding to the secondary and elementary sectors and to the universities and community colleges over a long period of time, and if we look at the excesses and the extravagances on the other hand—the oil companies, the advertising and the land banks—it makes us ask, "Where goeth the priorities of this government?"

To us, there is no higher priority than guaranteeing that each student in our province has a quality education with universality of access and that we equip our young people to deal with the problems of the future. Every document that comes out of the government, such as Economic Transformation, says: "We need more technological training. We need more technological students." What are the community colleges supposed to be doing, except giving that? Yet, from the minister's hand and under her hand, we see the thumbscrews continually turned to an intolerable level.

I think what has developed is a tragedy, and it is almost more tragic that we have to do what we have to do today. If I did not believe so strongly that many students' years were in jeopardy, that we risk jobs and the future of 120,000 full-time students and close to 600,000 part-time students—

obviously in different states of jeopardy and I do not want to be overly dramatic about that—then we would be winding back the clock in this province, because this will be a province-wide problem for some time to come.

I guess that is one of the hard judgements one has to make in politics, how one will stand ultimately on these kinds of issues. We do it not happily and we do it believing very strongly that in similar circumstances we could have done very much better. This never would have happened with sensitive leadership in this province.

The minister is the issue. She has been the issue throughout. I read her statement today and I see she is unrepentant down to the very last. That is the most truculent, biased, one-sided, mean-spirited statement I have ever seen. Good God, when is she going to recognize there are two sides? When is she going to recognize that these people have a legitimate case? When is she going to reach out, rather than just siding with one side from the beginning and using that to do I do not know what? I do not know what her motives are. I do not know how she really sees this whole question, but it has been mishandled.

The teachers and the Ontario Public Service Employees Union were reaching out. They were prepared to look for any friendly or conciliatory gesture. I believe that. I believe our suggestion of putting some of the saved money on the table would have gone some way towards solving the problem. I believe a little infusion of fresh money plus some sensitivity on the minister's part would have solved this problem.

I do not believe they wanted to go to this extent. The teachers and the union are intelligent and sensitive people. They realized the price at stake here, but they are also fighting not just for now but the future as well. I believe it has been one of the most irresponsible kinds of action by a minister I have seen in my almost 10 years in this House—again because it was preventable. Yet here we have had to come to this sorry state.

I still believe the bill, as presented, is not adequate and will not address the problems. We are going to present amendments this afternoon for the consideration of this House. It is obvious from the replies of the minister earlier today she considered—I gather this is correct—the options we put forward earlier. In my view, her reasons for rejecting them were quite wrong.

We are going to put to her again today the proposition that we should attempt to continue to negotiate. We are proposing that we should put the quality issue, the assignment-of-instruction

issue, the work load issue, back on the table. Let these people go back and try to come to a resolution. I am sure they will be impressed with the urgency and gravity of the situation.

We still have a possibility of free negotiation on those issues. What is the possible point of interfering with that? I feel it is a constructive suggestion in the circumstances. They should go back to work tomorrow and continue to negotiate on those issues—and let us not forget that those have been the issues at stake in this strike.

If a resolution cannot be achieved, the matter could be put in the hands of an arbitrator 30 days from now, or 60 days if the minister prefers. But let us do everything we can to try to reconstruct those relationships and to reconstruct a decent bargaining atmosphere. It is no secret that the bargaining atmosphere has been polluted with bad feelings for a long time. The fact-finder told us that. It speaks to the need for structural reform in that bargaining relationship.

I am hopeful that after this question is resolved the minister will not shove it under the rug. I hope she will bring it back to this House for a thoughtful discussion so that together we can develop structures and methods of bargaining that will not lead to this kind of problem in the future.

I believe our ideas would go a long way towards solving this and even at this late hour are quite manageable. With the help of the legislative counsel, we have the amendments ready, I am told, and I am going to try to persuade the minister to take a serious look at them. I am going to try to persuade her that even though we are at the 11th hour, it would go a long way towards rebuilding better feelings.

There are some other assurances we in our party would like and I hope we will have a chance to discuss this during the committee stage on this bill. We hope the minister will not enforce any violations of the contract with respect to space obligation or weekend work, and that we can work that out in a conciliatory way.

4:20 p.m.

We are hopeful and anxious that there will be no reprisals against students who crossed picket lines, any part-time teachers or anyone in this situation. We are hopeful there will be a total callback and not a staged callback. This will mean that in no way will there be any recriminations against people who legitimately put forward their strongly held views about this situation. We are hopeful there will be provisions made to bridge the pensions so nothing will have been lost during these last three weeks.

There are some lessons here, it seems to me, that we can all learn as people who care passionately about the kind of future we have in this province. We have probably focused on the wrong things in many respects in regard to our community college system as opposed to the real essential, which is the delivery of quality education.

I am told, for example, that one in four employees in the community colleges is an administrator. The minister can correct me if my figures are wrong, but I am told that some 1,800 to 2,000 administrators in the system average over \$48,000 a year. I am told that the support staff numbers about 4,700 people averaging about \$19,000 a year and that the faculty numbers between 7,200 and 7,600, a ratio of roughly one to one.

I think the minister wants to take a very serious look at the administration of these colleges. Are we really putting our emphasis on the important areas, understanding that teachers are the single most important offensive weapon we have in fighting the war on ignorance in a changing world and in acquiring the kind of technology we need in the future?

It strikes me as I look at these figures—and I can perhaps be persuaded otherwise—that we are overloaded with administration and are not putting our efforts into things that are really important in any system of education. I am sure that if the minister looked judiciously at those kinds of matters, she could find some of the moneys she is always saying she is short of to build real quality into the system.

As I said, it is not our intention to hold up this debate or to delay or posture unnecessarily. We all know what is going to happen today, tomorrow, Monday or Tuesday. My suggestion is that it should happen today. I think everyone should have an opportunity to put forward his point of view. I do hope the minister will study our amendments. She has time to do it now, and we can develop some kind of consensus at least to build better relationships in the future.

I say in conclusion that it is a great tragedy that the time of this Legislature is being taken on this matter and that we have developed such bad feelings in the community, manifestations of which the minister saw today in this House. I am one, frankly, who draws no pleasure from that. But we can see those emotions and those sensitivities bubbling to the surface, and I am sure they are real and deeply felt.

There are many people in this province beyond just the active players in this dispute who are

deeply concerned about what we are doing not only to our post-secondary system but to our entire education system. The minister will hear more from us in the future, as she has heard a great deal from us in the past on this issue.

There is no genius in life in solving a problem that was unnecessary in the first place. This is human behaviour at its worst. This is leadership at its worst.

Mr. Rae: Mr. Speaker, I guess the position of the members of the Liberal Party can be summed up by saying that this bill is so terrible that they are going to have to vote in favour of it.

Mr. Wrye: The position of your party is that the bill is so bad you are going to keep the students out of school.

Mr. Rae: I have obviously touched a chord of great sensitivity. Having mentioned their position, I will now leave it alone, treat it with the respect and give it the attention it deserves.

I am really quite appalled that the minister has chosen not to lead off this discussion, that she has chosen not to tell us precisely what her overall conduct has been in the last three and a half weeks or to explain to the House the rather dramatic shifts, changes and inconsistencies in her position.

I was in Barrie yesterday talking to teachers at Georgian College when we heard the news over the radio that the minister was bringing in this legislation, which none of us viewed with any great surprise. One of the sentiments I heard expressed by the teachers was, "If this is what they were going to do anyway, if this is what they knew all along they were going to do, why did they not do it two and a half or three weeks ago?"

The minister has to be made fully aware of that sense of frustration which teachers and students share. If there had ever been a sincere intention on the part of the Council of Regents or the minister, and their roles are clearly interchangeable in this entire dispute, surely the minister would have known that months ago, not simply weeks ago.

As the minister responsible for colleges and universities, the minister should have known that this question of work load was one to which the union was firmly committed and one to which the teaching staff was firmly committed. The council had an early warning some months ago that this was going to be the issue they were going to take into negotiations, the issue they wanted and intended to have discussed.

One of the problems in this entire dispute from the very beginning has been that the minister has had bad information. She even had bad informa-

tion today, and I am going to come back to that point. She certainly had bad information on Tuesday. She must have had bad information; otherwise, she would have been misleading the House. That is not an accusation I would make about the minister for one instant.

However, the information she presented to the House was, let us say, a few hundred miles away from what the actual situation appeared to be. I say to the minister I think she has a real responsibility, in a personal sense as Minister of Education and Minister of Colleges and Universities, for the fact that at no time were the union's concerns ever taken seriously, ever addressed directly or ever faced up to for one moment.

I have looked around and talked to teachers. I have talked to teachers in Ottawa, in Barrie and in Hamilton at a faculty association banquet on Monday night at Mohawk College. These are not people who are particularly used to the whole collective bargaining process. They do not see themselves as particularly hard-line trade unionists. They see themselves first and foremost as teachers. That is what they are; it is how they make their living.

Regardless of political opinion, the overwhelming concern I heard expressed by individuals who were in favour of what was happening, opposed to it, or whatever their opinion was, was that this is a legitimate issue. It is an issue the Council of Regents, the group which has responded so politically and so directly to the minister, has never taken seriously. If we want to look at an example of how bargaining should not be done, and if we want to look at the problems of the immaturity of the attitude of the employer to the collective bargaining process in the public sector, this would be a case study for a doctoral student.

Compare for an instant the sense of realism one finds in the private sector from the mature employer who recognizes one has to find a settlement and one is going to get a settlement sooner or later. He makes an assessment. We all know, anybody who has been involved in the process knows, that one makes an assessment as to how seriously one can take the other side.

Throughout the piece, the Council of Regents has dismissed the thing. "It is not serious. It is just a few of the leadership who are concerned about this issue. The union will fold. The union will knuckle under. It is not an issue of direct concern to them."

Finally, at the last minute, there was this desperate attempt of throwing a new offer underneath the door of the union negotiator

saying: "Here is our new offer. We have changed our minds." I think one can say the union was genuinely baffled by the different messages it was getting and the different words it was hearing.

In response to that, we had the breakdown of communication between the union and the Council of Regents. Then we had the most bizarre series of steps by a public sector employer I can imagine. Just as the process of negotiation was getting back to the table, and just as we had the demonstrations outside the Legislature some three weeks ago and the beginning of questions on the floor of the Legislature, what did the Council of Regents do?

4:30 p.m.

Its notion of conciliation was to take out ads in every single newspaper across Ontario and say, "This is our position, this is why the union is wrong and this is why its position is not and cannot be justified."

Can members imagine the reaction if General Motors were to get engaged in that kind of bully-boy tactic, that kind of special pleading in the middle of attempting to find a common ground? It would be regarded with complete disdain. A professional negotiator would view that as an example of a group of people that sincerely did not want an agreement.

I think the problem in this whole dispute has been that the minister has been the *deus ex machina* in this whole business, always in the wings, always there, always supporting the management position. If I may say so, if it was never explicit, it was certainly a clear understanding that if things ever got rough, the employers could always count on the Minister of Education to order an end to the strike pronto along the lines the employer wanted.

Hon. Miss Stephenson: That is absolutely untrue.

Mr. Rae: There can be no other explanation. If the employer did not have that clear understanding, there is no other explanation for the employer's Alice-in-Wonderland attitude towards negotiations.

I cannot conceive of any private sector employer doing that, unless he wanted to break the strike, unless he wanted to break the union, unless he was not interested in reaching an agreement—and we have certainly seen enough of those kinds of negotiations in the last couple of years—or unless he was of that frame of mind. I cannot imagine a serious professional negotiator for an employer engaging in the kinds of tactics the Council of Regents has engaged in.

It does not make any sense. One does not simply throw an offer underneath a hotel-room door and expect to get that offer taken seriously. One does not attempt to go over the head of the duly elected negotiating committee and communicate directly with the membership in terms of one's own one-sided approach to a question, unless one is trying to undermine confidence in the process.

There are a great many people who feel that is an unfair labour practice, and there is ample case law to demonstrate that it is unfair labour practice for an employer to ignore the duly elected negotiating team of a union and to attempt to go over its head. They have fancy names for that in labour relations law. It is called bullroarism and all the other fancy names they have for this kind of bullroarism that we have seen from the Council of Regents.

Again, if one looks at the history of the way in which this dispute has been conducted, it really baffles the imagination to think there was any interest on the part of the employer or on the part of the minister to get an agreement that reflected a sincere desire to deal with the work load question.

In view of the indications in the document from Mr. Williams, dated October 12—the agreement that has been referred to, management's offer of September 25—I would have liked the minister to have said in this House in all honesty when questions were first asked, "Look, I think and the Council of Regents thinks it is impossible for us to quantify work load outside the classroom." If she had said that on October 15, at least we would have known where everybody stood. At least we would have had an honest assessment of the government's position, and then we could have had a focused discussion on that question.

I do not know the answer to that question and I do not think anyone does definitely, whether or not it is possible. The union says very strongly and urges that it is. There is evidence that they have done it at Ryerson, and from what we can tell, Ryerson is not in a state of semi-revolution. I drive by there practically every day and people seem to be engaging in work. The reputation of the place is very good. I continue to be invited to speak to the students there from time to time. It looks to me to be a perfectly civilized institution. I have seen no signs at all that it is in disrepair.

One Brian Segal, whose presence I am sure is not unfriendly to the Minister of Education and the Conservative Party of this province, is the president of that great place. They seem to

manage to conduct themselves. They have an agreement with their staff that they not only are going to quantify the teaching time in the classroom but are going to attempt to regulate and get some control over hours outside the classroom.

Mr. McClellan: They negotiated that.

Mr. Rae: They negotiated that in good faith because they wanted to reach an agreement and I guess because they felt it was a reasonable thing to negotiate.

If the minister felt that issue was unreasonable, she could have answered a question which I remember putting to her at the very beginning of this dispute. I asked her, "Do you think it is unreasonable that this should be an issue that should be responded to?" I never got an answer, except for an answer saying, "I am not on anybody's side." Yet the indication from another source, Mr. Williams, said, "The minister has stated her total commitment to the position the management committee has taken."

The management committee has consistently taken the position that it does not think it is possible to discuss work load outside the classroom and it is not prepared to negotiate any overall framework on that issue. I say to the minister with a combination of frustration and considerable anger, after all the water that has gone under the bridge, this strike has proved itself to be completely unnecessary. It is absolutely obvious that neither the minister nor the Council of Regents ever intended to negotiate in good faith on the question of work load. There is no real substantive difference between the offer that was made on September 25 with respect to the work load question and the offer that was made on Sunday.

Then we have the other interesting fact—I simply call it an interesting fact—which the minister said she was unaware of until I brought it to her attention this afternoon. The proposal she is making with respect to the settlement of individual grievances is almost precisely, with the exception of one or two words in a four-page document, the proposal that was put by the employer to the union negotiating committee on Sunday and was rejected in negotiations on Sunday.

The long and short of this legislation is that the government says we are going to have compulsory arbitration for every single issue with the exception of the one issue that has been in dispute from the very beginning. To state it in that balder form makes one wonder what exactly the government is driving at. Then one realizes what

it is driving at. Its solution to the one issue that has been in dispute from the very beginning is the employer's solution. It is not only the employer's solution in concept and notional terms, it is not only the kernel of the same idea that the employer had and expressed, it is the same proposal virtually word for word.

When the minister came into the House this afternoon at two o'clock, she said she was not aware of that, and I believe her.

Mr. Martel: Do you?

Mr. Rae: Yes, I do. I do believe her.

Mr. Martel: Do you believe in the tooth fairy?

Mr. Rae: I have a lingering faith in the tooth fairy and Santa Claus as well. Seriously, I do believe the minister, but if she is telling the truth, and I think she is, is that not appalling? The Minister of Education presented a bill at two o'clock in the afternoon without being aware that the critical clause she will introduce as an amendment in a few moments is exactly the same clause the employer tried to put over on the employees five days ago. The minister was not aware of that fact.

The minister had the gall—I am going to respond to this—to say yesterday, “We expect the co-operation of all parties in the House and we expect this bill to pass in five hours.”

Hon. Miss Stephenson: No.

Mr. Rae: Yes, she did. I heard her. She said it would be through—

Hon. Miss Stephenson: Review the tape.

Mr. Rae: No. I heard the minister. I was travelling in my car and I heard her on the radio. It was her voice, unless there is a mimic loose in the Tory party.

Some hon. members: Ed Havrot.

Mr. Rae: I am coming to Ed Havrot in just a minute, but I want to deal with this issue.

I have never in my life heard a cabinet minister issue that kind of peremptory directive to all members in the House when they have not even seen the legislation and when she does not even know who is writing the legislation and who is responsible for the clauses she is putting before this House.

4:40 p.m.

At five minutes to two, she was not even aware that the legislation she would be presenting with respect to the issue of work load was written, signed and sealed by the Council of Regents and by the employer's bargaining committee in this dispute. She said, “We want you to pass it without even looking at it.” Why does she not

just pass out blindfolds and say, “We want you just to put your hands up and pass this bill”?

The minister may get away with that in her own caucus, though I would be surprised if she does. She may; I do not know. All I know is that we are not going to be buffaloes on this side. We recognize the train is leaving the station, and she may rule the waves; but we in this party are not going to waive the rules, and that is the way it is going to be.

We are going to look at this legislation; we are going to put forward some amendments that will deal with the fundamental question, which is the question of work load; and we are going to have a full discussion in this House because we think the minister is on the hook and we think she should be on the hook. If there is one person in the House who is responsible for a three-and-a-half-week delay, for students not getting the education they want and for teachers not being able to teach, it is the Minister of Education and Colleges and Universities in Ontario.

I have heard of chutzpah, but for that minister to come before the public of Ontario yesterday and say, “Now that I have decided to do something about it, though I am not entirely sure who is responsible for what I am doing or even what all the terms of the bill are, we expect everybody else to lie down and play dead.” That may be good enough for some members of this House and even for some members in other parties; I do not know. But it is not good enough for us.

I say quite specifically to the minister and to the public that we do not want any student to lose a year. We do not think for a moment this is going to happen and we understand full well the realities of the situation. We know the legislation is going to go through by the end of this week and we know perfectly well that the students and teachers are going to be back at work on Monday.

Nothing the minister has done or said could possibly earn the confidence of the members of the New Democratic Party and it is for this reason and this reason alone that we are voting against this legislation. Her overall conduct and the specific measures contained in this bill could not for an instant merit the support of an opposition party worthy of the name.

I cannot for a moment conceive of an opposition party worth its salt, a party that takes seriously its role in questioning, criticizing and asking the difficult questions—and yes, perhaps taking a little heat from time to time—just lying down and saying: “Okay, it has to go through.”

We are going to vote for it even though we do not agree with every blah blah blah."

No, that is not our approach. We are opposed to the bill; we are going to vote against the bill. We recognize that, as the minister and the government have stated, it is the government's intention to proceed despite our opposition. That is the nature of living under a 41-year-old sclerotic, one-party government.

I want to deal, if I may, with one other bizarre series of events—and it can only be described as bizarre—that appeared in the Northern Daily News. This is a reputable newspaper in Kirkland Lake. The Northern Daily News for Friday, November 2, 1984, contains the following headline: "Havrot Rejects Idea of Emergency Debate on Striking Teachers Issue."

The member for Timiskaming (Mr. Havrot) is one of the leading thinkers in the Conservative Party, one of its outstanding spokesmen. He is one of the brains trust, I think one would say, of the Tories.

The article says, "Havrot said he did not think too highly of the union negotiating team." This is a member of the Conservative party: "The team has been given a proposal by the ministry that it has not given to the union membership. 'That is the whole problem right now,' he said. 'You can bring a horse to water, but you can't force it to drink. The next move is up to the executive of the union. If it lets the teachers stew, it will be accountable to the membership.' Havrot called union negotiators 'raunchy characters.'"

I look around me and I do not see too many raunchy characters.

It said, "At one point in the negotiations a union member spat in the face of a college negotiator. 'That's the kind of characters we're dealing with,' said Havrot. 'If you call that diplomacy, I don't know how they'll resolve this.'"

The members raised the issue with the Kirkland Lake Northern Daily News. They asked: "Did he really say this? Are you sure?" There were concerns expressed.

We then went back to the Kirkland Lake Northern Daily News and on November 7 read this alarming news with the headline, "Spitting Marred Contract Talks":

"Education Minister Bette Stephenson told her caucus a negotiator for striking college teachers spat in the face of a college negotiator during negotiations between the two groups, Ed Havrot has revealed." Telling secrets out of school. That is unbelievable.

"Caucus member Ed Havrot, PC Timiskaming, said yesterday Stephenson made the revelation during a caucus meeting last Tuesday."

Again I do not know whether that is accurate. It is in the newspaper and I am simply passing it on to the minister. Her colleague the member for Timiskaming made that statement. He did not just make it once, he made it twice. I know he is a very active thinker in the Conservative Party and certainly someone who has earned our respect over the years for statements he has made from time to time. If this source is inaccurate, I would only say to the minister it has been inaccurate twice, not just once.

If I may say so, it is an absolutely bizarre accusation. I have talked to every one of the alleged spitters in the group and have been assured not even a drool was found among them. I have done my own research and have found no evidence to support the allegation. If the minister can support the allegation, perhaps she will indicate who the spitter was and on what date the spitting occurred.

Mr. Van Horne: And in what direction the wind was blowing.

Mr. Rae: In what direction the wind was blowing. I appreciate the help of the member for London North. I do not know what I would do without him. He is doing a great job.

It is that kind of atmosphere, to put it loosely, that causes me great concern. I have been concerned and have expressed to the minister from day one that there is a very deep perception she is coming into the House with one-sided, inaccurate information and stuff that can only be described as rumours and gossip.

The minister came into the House and gave us anecdotal information about how many hours teachers were teaching in the classroom. That information was different from the information of the Employee-Employer Relations Committee, which is a bipartisan committee. It came up with different information in its work load study. She has presented information to the House that has been inaccurate.

Now we have an allegation from one of her colleagues that she has made a statement about the conduct of the union negotiators. It is very easy in the current atmosphere to go after union negotiators. It does not take an awful lot of guts to make scapegoats of people who are attempting to provide a degree of security and protection for their members when, generally speaking, public opinion is very concerned about inflation and jobs in the economy as a whole. When the atmosphere of insecurity is very strong in the

economy, it does not take a great deal of skill to do that. Even the member for Timiskaming can stumble into it, but in a civilized society it is unacceptable.

4:50 p.m.

Many times when I have heard the minister speak in the House, I have felt she is taking the easy way out, slightly stereotyping one position, slightly misconstruing what is an overall position on one side, coming down hard and presenting the position of one side in a dispute as if it was the gospel truth. I wish I was as sure of anything as the minister appears to be of almost everything.

I really believe—and it is one thing I have learned from being involved in labour negotiations and any negotiation of any kind—compromise is not a dirty word. A compromise based on a real understanding of the interests of both parties in finding a solution is what the business of negotiation is all about. Trying to use one's imagination in finding that common ground is what real leadership in negotiation is all about.

It is based on a fundamental premise: That one respects the other side. One does not belittle the other side. One does not belittle the efforts of the other side to find a solution. One does not talk about the union in a scornful way, the words almost being—should I say—spat out? One does not talk about it in those terms. One talks about trying to find an agreement that recognizes the people on the other side are human beings too.

I think the members of the Council of Regents are human beings. They are responding in ways that are a little bit arbitrary and appear to me to be unfortunate in the circumstances, but I know many community college presidents, some of them are good friends of mine and they have some concerns about what it means to have to negotiate some of these matters. I think they are concerned about those things.

Let us at least recognize that there has to be a common ground for a solution. It is not always easy to find, but it can be found. The premise behind every negotiation has to be that a solution is possible. You have to start on that assumption from day one. I think the minister has started from day one with the assumption that the only solution possible is her solution. No other solution was even discussable or genuinely negotiable.

I want just to have a look at a couple of features of the bill which are profoundly objectionable and have to be changed. Most fundamentally, if there is going to be compulsory arbitration, the least that can be done is to have compulsory arbitration for everybody. I find it bizarre that the

government would have compulsory arbitration for all matters other than instructional assignments, when instructional assignments have been at the very source of this conflict.

What has the government done for instructional assignments? Well, it has provided wording which, to put it politely, is incredibly complicated. The government has established committees at 22 community colleges. I was accused of misusing my much-maligned Latin when I said there was a plethora of committees. The government has set up 23. If that is not a plethora it could be a gaggle, a flock, a large grouping of some kind. It is certainly more than two, more than three, and I think that is a plethora. That is an awful lot of committees. I am a member of the opposition but if I had to sit on 23 committees, I would feel unduly stretched. I think the minister would feel the same way.

I would like to suggest to the minister that the legislated solution she has imposed is almost precisely word for word the solution put by management on Sunday. If the minister chooses to challenge my words, I will be pleased to send her the copy I have of the negotiating position put by management on that day. I have it right here. She has the pages here which are almost exactly the same.

This is an example of a kind of disingenuousness that is almost unbelievable. It is absolutely shameful for the minister to say we are going to have compulsory arbitration and we are going to take out of the hands of either party a solution to this problem, except for the issue that is really in dispute, and on that issue, we are going to side with management and impose management's solution on the teachers. For that reason, if for no other, I could not support this legislation in all conscience.

I could not bring myself to vote for it because I think it is the worst kind of precedent one can possibly imagine to a collective bargaining dispute. I even think it flies in the face of the Charter of Rights and Freedoms. I will explain why I think it does so. In its decision, the Divisional Court of the Supreme Court of Ontario discussed the concept of freedom of association in the *Broadway Manor Nursing Home* case which has recently been upheld by the Court of Appeal. The court said that in its view, in international law the right to strike is a logical consequence of freedom of association. If one is going to take away that right, one has to—

Hon. Miss Stephenson: It has been upheld, has it not?

Mr. Rae: It has already gone to the Court of Appeal. The Court of Appeal has remained silent on all these constitutional questions, so the ruling of the Divisional Court stands. I am reciting that to the minister. That court says the clear rulings of international labour law are that if one takes away the right to strike, one has to replace it with a process that is genuinely fair, equal and binding on both parties. If one replaces the right to strike with a one-sided, arbitrary, whimsical process, it is not even legal under the Charter of Rights.

I think what the minister has done is unconstitutional. I think what she is proposing is an affront to the notion of freedom of association. She has taken away the idea that compulsory arbitration is going to be fully and equally binding on both sides.

The minister wears many hats and the government wears many hats in these disputes in the public sector. We now have a charter which says that if one is going to change hats in the middle of the game, he or she had better be pretty careful not to take rights away from working people or from people who have some kind of union or trade association or whatever it is called.

I made these arguments two years ago when I was first elected to this place. I would remind members it is now two years and four days since I was elected to this Legislature. Some days it feels a little longer than other days, I will say.

I made that argument about Bill 179 and I felt it very strongly at that time. We were mocked by the government and by the opposition, but I think it is true, and the court said we were right. I remember the opprobrium the member for Hamilton East (Mr. Mackenzie) and I took and the kind of stuff we got from all sides. We stood alone for four months against that legislation because we said it was unconstitutional, and we were right.

Now the government is imposing a solution. Not only is it not going to work, it just is not right. If the government is going to introduce compulsory arbitration, it has to apply equally to both sides. If the minister and the Council of Regents are so convinced they are right, then let them have no fear before the arbitration process.

If the scales would fall before the eyes of any rational person when confronted with the arguments of the Council of Regents and the minister, let them take it to an arbitrator. The council says it is impossible to quantify the idea of overall work load. It says that is literally inconceivable and cannot be done. Modern science has not yet achieved the capacity to measure in any way, shape, or form the time a teacher spends outside

the classroom. Its infinite space, infinite time, cannot be measured or weighed or balanced.

If that argument makes so much sense to the minister, let her take it to an arbitrator and convince him. The arbitrator will, no doubt, be appointed by the minister and will be somebody of complete and total impartiality.

5 p.m.

Why does the government set up a process that makes a mockery of the procedure—and not just of collective bargaining? We recognize it is going to get rid of collective bargaining, it is going to get the strikers back to work. That train is leaving the station. But if it is, make it a fair train, make it a nice train, make it a train that has room for everybody on it. Do not make some people hang on the edges as it leaves the station saying, "Let me on, let me on." That is what the minister is doing.

If there is not a legal challenge to this so-called settlement, there ought to be, because it is fundamentally flawed. It does not make sense in terms of fairness.

The other way it does not make sense is what I call the Wall-Street-in-the-wings problem. There is this arbitrator. I find it ironic that in trying to settle this dispute the government would have a single arbitrator appointed. In our view it would make a lot more sense to have three, refer all the matters to that group and let it come up with a settlement that is reasonable.

It would reflect what tripartite arbitration always does, two people on either side and somebody in the middle trying to find a rational solution and trying to introduce some common sense into that rational solution. That is what it is all about. It is an imperfect process. It is a human process. It makes mistakes, but it is a lot better than what we have here.

What we have here is a sole arbitrator appointed by the government. We are led to believe the government is going to change its hat and say: "I am no longer the employer here. Let me take my employer hat off and put it over here. Now I am going to put on my judicial hat. I am going to be totally fair in appointing this neutral party. I am going to forget that 30 seconds ago I was wearing my employer hat."

However, we go back to subsection 5(5), "In making his decision, the arbitrator shall consider as a factor the ability of the employers to pay in light of the existing provincial fiscal policy." That is Wall Street in the wings with a vengeance.

Apart from Paul Weiler, who has had more government work in the last three years than

anybody can imagine, there is not a respected independent arbitrator in the province who thinks that clause is a good clause. There is one arbitrator I regarded, until recently, as somebody of some independence. That is Mr. Weiler. Now he has thrown caution to the winds and is settling the Toronto Transit Commission dispute with the same clause. They could not find anybody else of any real independence to take the issue.

We have this clause two weeks after the Premier sent a memo to all the members of his cabinet saying, "If you go over 3.5 per cent, the government is going to turn into a pumpkin overnight." This clause can mean only one thing: no arbitrator can take any step. Even if he is persuaded by the arguments, even if as an independent person he feels he has to make some leeway and perhaps go to six or seven per cent overall in the package—not in terms of wages but in terms of the overall cost of the package—he will not be allowed to do it because there is this clause.

The minister is shaking her head, but she cannot have her cake and eat it too. She cannot have it all ways, every way, every time. That is what she is doing. She is asking the arbitrator to be an agent of Standard and Poor's. She might as well get rid of the middle man, the government of Ontario, and go straight to Wall Street and say: "Is this going to endanger our rating? Is this going to affect our triple-A? If I give away this clause, is that going to affect the triple-A?" They will say yes, no or whatever. There will be discussions over lunch or cocktails or however they do these things. They will go for a beer or whatever they do.

Mr. Martel: Not beer.

Mr. Rae: Not a beer; a martini.

Mr. Martel: That is more like it.

Mr. Rae: Dubonnet; all right.

It seems to me that is the very real threat to the arbitration process. We have only the one, which I think is fundamental. If we could get this referred to a court quickly enough, I am convinced it would be thrown out on the basis of the Broadway Manor precedent, because on the very face of it the arbitration is not genuine. It is arbitration that is phoney because the most important question has been settled. It is being legislated according to what the employer wanted, even borrowing his wording and taking over, word for word, what the employer said.

The second problem, and it is flawed, is that the government is imposing on the arbitration process a question that is not directly relevant to the settlement of the matters in this dispute. The

government's fiscal policy is a concern of the government; it should not be a concern of the arbitrator. It is the government's responsibility as an employer to settle this matter as best it can within its financial means. Once it refers matters to arbitration, it has no business saying, "You are going to be a judge and policeman at the same time."

I believe this legislation can be challenged on the ground that it is unconstitutional and wrong in a legal sense for the government to confuse the role of an arbitrator. I believe it is wrong for the government to turn the arbitrator into a cop for Wall Street and into a judge of some kind at the same time. That is a contradiction in roles. It cannot be done, it does not make sense and it will not stand up.

There is much else I could say. I feel I have got a lot off my chest that I have been wanting to say for some time about this dispute. I want to close by saying that nobody wants to see a settlement of this matter more than we do.

Other members should not think for a moment we have not been under the same kind of pressure as individuals, with the same kinds of phone calls in the evening at home. We have had the same kinds of concerns expressed by people on the street as everybody else in this House has had. We all have been under that pressure. No student should lose his or her year. No student's future should be jeopardized by government mismanagement of this magnitude.

We have no intention of delaying this legislation unduly. We recognize the government has taken a step that in a sense is its last gasp and last attempt. I think it is a fundamentally unfair step, and that is why we are opposing the legislation. We are opposing it because it is unfair and because, as I said before, in a constitutional sense it is wrong and will not and should not stand up.

As I say, we also recognize the train is leaving the station. There is not a teacher in Ontario who does not want to teach more than anything else. I have not met a teacher in the past three weeks who was enjoying being on strike. I have not met one teacher whose first questions to me were not: "How are we going to get back to work? How are we going to settle this thing? How can I get back to doing what I enjoy doing?"

In closing, I want to say to the minister that I have grown to respect greatly the community college teachers in Ontario since becoming leader and since meeting with so many of them in the past two years. They teach hundreds of thousands of our students who need and want skills and learning. These students are not only

young people but older people who see our community colleges as a tremendous way to get an opportunity, to get ahead, to get retraining, to get a new skill, to get a new certificate. The community colleges are great, lively, democratic, cosmopolitan places. They are great institutions.

There has been a great commitment from those teachers. The strike has not been about money. If I may say so again, the minister has misrepresented the whole issue of the union's monetary proposal in the sense she knows it had to do with the grid, with catch-up, with the effects of Bill 179. She knows the union is simply asking for what happened to other employees in the public sector after Bill 179. She must know that. If she does not know that or if she is not aware of it—

Mr. Martel: She sure did.

Mr. Rae: That is true. I say to the minister this strike is not about money and should never be construed as being about money on an individual salary basis. It stems from frustration.

5:10 p.m.

I do not even think the frustration is simply work load. I think the frustration comes from those people who felt they were working in a unique institution that had a chance to do a great job when they were originally hired and started teaching. Over time, they have felt it is becoming a bit more of an institution, a bit more of a meat grinder, it pays a little less attention to individuals, there is more grading by rote, true-or-false questions, multiple-choice questions and all the other substitutes for real individual contact back and forth and individual evaluation.

This dispute is about professional pride, about the sense of pride an individual teacher wants to have. I had somebody on the line the other day who said, "Mr. Rae, I cannot do as good a job as I want to do." That is what it is all about.

I make one final point and I make it to the teachers and the students who have been involved in this dispute. There is one more multiple-choice test the people of this province are going to be facing in a few months. The government has acted in an arbitrary way and in a way that I feel is illegal. I think it has completely scuppered any idea of arbitration being a neutral process. It is not a neutral process. The government has turned it into a one-sided joke and that is why we are voting against it.

The ultimate solution to this question is political. A 41-year-old government, inured in its own arrogance, steeped in its own sense that other people do not know what they are talking about and it is always right, totally enmeshed in a

sense that there is no other solution but its own, has produced a solution that is not only arbitrary and unfair but is also going to be bad for education.

There are many people, and I am one of them, who were born under a Tory government, but I have no intention of dying under one and I do not think the students of this province should have any intention of dying under one. It is time we united—teachers, students and all of us who are committed to progressive change—to recognize the only solution to this dispute is ultimately an election that defeats the Tory government of this province and replaces it with the New Democratic Party.

Mr. Sweeney: Mr. Speaker, it is worth noting that since the mid-1960s, when the community college system was begun in this province, there has not been a strike. The system is often referred to as the monument of the former Minister of Education, the present Premier (Mr. Davis). This is number one, the first strike in 17, 18 or 19 years—whichever it is, it is a long time.

More important than the time, the years, who started it and whether it is a monument, is that it is a reflection that the people involved in the community college system do not take lightly their responsibilities, their duties, their roles or the contribution they make to Ontario's society. The fact that they would go for 17 years, solving their problems in an amicable manner year after year, despite some of the hindrances put in their way, suggests to us this strike did not start easily, lightly or without just cause.

If we are going to understand truly what we are doing here today, I think we have to know why the strike happened. Also, we have to know whether anything is going to be resolved. I have a copy of a statement made by Mr. Doug Light, the president of George Brown College of Applied Arts and Technology, at a Critical Issues Conference with respect to community colleges back in 1982, only two years ago. Here is what he had to say:

"The harsh reality is reflected in the past three years, as we examine statistically our revenue support. If we examine the support in terms of the constant dollar for full-time equivalent students, we will note some four years ago we received something in the order of \$2,240 per full-time student. Today, four years later, we receive \$1,820, a reduction in real dollars of more than \$400, or a reduction of 20 per cent."

The last census I have seen places Ontario 10th and last with respect to its support of universities, and ninth with respect to its support of com-

munity colleges. I suggest that goes a long way to understanding the problem we are facing.

For the last several years, the community colleges of this province have been forced by the funders of the system, the government of Ontario, to cut corners and to shave here and to shave there. One has to ask oneself what that does to the people working in the system. What happens to one's attitude, morale and spirit? What happens to one's desire to do the best job one is capable of doing and wants to do when, year after year, the revenue base is chiselled away and sliced away and reduced consistently? It is not hard to understand what happens. Morale goes down, hostility builds up, people get frustrated and angry.

In my own community there are a number of teachers who have taught at Conestoga College since it was founded. I have had a chance to speak to them about this strike. They have told me a lot of the frustrations they have to undergo, but the most telling comment, the one that continues to linger, relates to their pride in what they are doing, what they have done and what they see themselves doing in the months and years ahead.

They told me they cannot do today the kind of job they used to be able to do, that the quality of education provided is deteriorating. They are not suggesting we have a bad system or a poor system. They say: "We remember a day and a time when we were doing a good job. We knew we were doing a good job. We felt we were doing a good job. We had evidence we were doing a good job."

They say to me today that is no longer true, and they say it with a sense of despair, they say it with a sense of injured pride, because these men and women are proud of what they do. They are proud of the contribution they are making to our society. They recognize we have to turn our economy around. They recognize that to do that we need to have hundreds of thousands of skilled, well-educated people, young, middle-aged and even older.

They recognize, as many of us on this side of the House recognize, that the community colleges are the unique educational institution in this province to help to do that, because they recognize that the community colleges serve a much broader range of students' educational and economic needs than any other institution we have. Our community colleges serve the needs of our apprentices. They can come back on day-time relief, in the evening or for six- to

eight-week sessions once a year. There is nothing else in our system that can meet that need.

5:20 p.m.

They recognize that it is a system whereby older people have been in the work force for about 20 years and who, for a number of reasons, are forced to make changes. They have been laid off and they want a chance to start over again.

A 44-year-old single mother called me and said: "I worked for 20 years supporting myself and my family, and for the past year I have been unemployed because my company went bankrupt. This year I had a chance to start over again and get into the nursing program. Look what is happening to me. Just when my pride, dignity and self-respect were beginning to be restored I am having the rug pulled from under me."

Another man in his mid-30s called me and said he was in an apprenticeship program. He supports a wife and family. Smack in the middle of his eight-week session at the college, he was derailed. He had to go back to work again. Thank God he had a job to go back to. It has been made clear to him that because of these slots—the colleges have scheduled them a year in advance—there is a distinct likelihood he will not get back into that program for another year. In the interval he is losing the wage upgrading he would normally have accrued. I do not think that is fair.

I had a call from a 26-year-old man who was only three days from completing his course when this strike started. He cannot go out and get a job until he gets the certificate which flows from those three days. I called the college and said: "Surely there has to be some way of compromising on this. Surely you can give the guy a temporary certificate and say, 'Go out and look for a job, get settled, talk to employers. You have your certificate and you can make up those three days when you come back, when things are settled again.'" No, it could not be done. It is against the rules or whatever one wants to call them. These are the kinds of things in jeopardy; this is what is at stake.

Talking to other people at the college, I learned that more of the courses are being reduced to 52-week periods. There is no break. These 52 weeks fall one upon the other and there is no time between them. If a course is supposed to be extended for another four weeks, the college people do not know how they are going to handle it. They say: "We are already scheduled to start the next one. What are we going to do with those four weeks? How are we going to jam them up? The time is simply not there."

We have here a question of quality, class size, people sitting on the floors in the aisles and on steps. We have a question of faculty not having enough time to prepare their courses. Faculties are being asked, simply because of the changing demands of the economy, employers and society, to change courses more frequently, often on very short notice. This all deals with the quality of the education we are offering our students.

All those students are aware of the danger of losing time. Quite a number of them have said to me they are also aware of the problems. They will probably go back to their schools next week, but they will go back to the same situation they left. That is why my leader a short time ago served notice of introducing amendments that can begin to resolve that problem.

Let us not, after this time, go back to the same situation that brought on the condition we now have. Let us not go back to the same situation of frustration and low morale of the staff. Let us not go back to the situation where students are going to be facing the same deficiencies in the education that is offered to them that we had in the past.

Let us recognize that those changes have to be made. They were 17 years in the coming and they have to be made, or we will not have to wait another 17 years for another strike. We will have this every year from now on because that festering sore is not going to heal itself. That festering sore is going to have to be healed by the goodwill of this government, of the administrations of the colleges and of the faculty members of the colleges all working together in the best interests of the students whom they say they are serving.

My leader had also drawn to the minister's attention that a considerable number of millions of dollars are going to be available at the end of this strike that were not available at its beginning and that they can be put on the table to help to resolve some of those staffing problems.

We are well aware that the government of Ontario does not have a bottomless basket of dollars. But what price are we prepared to pay? What price are we prepared to pay in the quality of the skills of the young people who leave our colleges? What price are we prepared to pay in the level of credibility and in the level of co-operation we have with employers and businesses in this province in co-operative programs and in the hiring of the quality of students who come before them looking for jobs?

Back in 1981, a report was commissioned by this government with respect to the colleges. It is my understanding that this report has never been made public. I would strongly request that in her response to the several speakers on this side the minister refer to that report and indicate to us why it was not made public.

Did it, for example, predict this very problem? Did it draw to the government's attention the effects of that underfunding? Did it indicate in fairly strong and straightforward language the effects of the work load? We do not know because the report has not been made public. Maybe if it had been made public and maybe if it had been acted on, we would not be facing the problem we have today. Maybe we would not have to be turning away thousands of young people from our community colleges every year.

I spoke earlier about phone calls to my home and to my office. The ones that bother me the most are the calls I have been getting in the last three or four days from young people, from students asking me how they can get a refund of their tuition fees. These are the students who have left college to go out and get a job because they did not know what the future of their education would be in this strike situation.

The registrar of Sheridan College predicted early in the strike that if it went beyond three weeks—that was his timetable, not mine—he would expect up to 25 per cent of Sheridan College students to leave school. I do not know to what extent that has happened at Sheridan College, but I do know I have started in the last three or four days to get calls from students who have already made that decision.

5:30 p.m.

I think that is a tragedy. It is a tragedy for the young people who are trying to forge a new career and a new future. It is a tragedy for people who are trying to find a productive place in our society. It is a tragedy for young people who are trying to become independent, stand on their own feet and make a contribution. It is a tragedy for young people today who have difficulty acquiring a sense of dignity and self-worth.

It is also a tragedy for their parents. I can say at this point that perhaps the greatest number of calls I have received has been from parents—not from teachers, not from students but from parents. I heard the anguish in their voices as they said: "We raised these young people. We gave them as many opportunities as we could. We encouraged them to continue their education. In some cases we saw them leave school early, long before they should have done so, to go out and try

to make their way in the world, and to do so not very successfully. We begged them, encouraged them, urged them to go back to school to get those skills, to get that knowledge, to get those very attitudes towards a career. Now what does this government do? It pulls the rug from under us, and we as parents do not feel very good about that." This is the message I have heard, and I have heard it very clearly.

I would like to suggest that while we are taking a look at this whole issue, the minister should re-examine her role and the role of the government in the operation of the community colleges. It was her predecessor, the Honourable Harry Parrott, who, in a debate several years ago when I was the Colleges and Universities critic for our party, made a very clear distinction between the role of the government with respect to universities and its role with respect to colleges.

He pointed out the autonomous nature of the universities and the fact that, apart from its role as a funding mechanism, the government has little to do with and little to say about the way in which universities are run. Then he pointed out clearly the very great amount of say the government, the minister and the ministry has in giving directions to community colleges.

He pointed out that the Council of Regents, which has been heavily involved in this dispute, is a creature of the ministry, a creature of the government and, to a large extent, gets its message from the government and from the minister. He pointed out that there is a centralized decision-making process because the government wanted all the community colleges to be somewhat alike; it wanted them all to follow the same guidelines.

The point that was made to me in my conversations with the presidents of several colleges was that these colleges are not all alike. They are as different as our universities are different, and we have made, in their judgement, a tragic mistake by not allowing a great deal more decision-making, especially with respect to the very issues that are at stake in this strike, namely, work load decisions, staffing support decisions and teaching assignment decisions. They say it is a great mistake not to leave a great deal more of the decision-making at the individual college level.

I do not pretend to be expert enough to know what that split should be. But when I talk to the teachers and to some of the presidents of the colleges, the people who are on the front line, the people who, in my judgement, should know better and certainly do know better than I do—and

I suspect in many cases and in some circumstances know better even than the minister—they say more decision-making should be given to them at the individual college level, that there should be a serious re-examination of the centralization of the whole process, that the question of the more autonomous operation of the colleges has to be rethought, replanned and reorganized.

There are 120,000 full-time students, young people and older people, at our colleges and there are 600,000 part-time students at our colleges. I would point out to my colleagues that 90 per cent of those part-time students are on a career path. They are not there just for interest subjects; they are there because they want to improve their own career possibilities. That is more than 700,000 people. That is a lot of young and older people who depend on this government and on the decisions made in this Legislature for their lives today, for their lives and futures tomorrow, and for those of their spouses and children.

We have a responsible decision to make and a responsible role to play today. The third party in this dispute, the students, is the one that must receive our highest priority. Those students have said to us in ever-increasing numbers: "We want to get back to our classes. We want to get back to our futures. We want to get back to doing what our role is today."

Earlier today under "Petitions" I presented a petition from 972 students at Conestoga College in my riding. They have made it clear to me through their letters, phone calls and that petition that our single responsibility is to them. If there is a dispute involving the ministry, the Council of Regents that it directs, the faculty and the administration, that is a dispute that has to be settled, but not at their expense.

Too often there are innocent third parties in disputes of this type. We know who it is now. We have the opportunity to begin to redress that. Simply ordering the teachers back to work is not the answer all by itself. We must go the one step further. My leader and my colleagues in this party have indicated what those next two or three steps need to be. There has been a breakdown in morale, in co-ordination and co-operation. We have a chance to begin to heal those wounds.

Our responsibility—I would go so far as to say a very solemn responsibility, given the number of people and families who are affected by our decisions—is to do that. It is not to prolong this agony; it is to begin to heal the wounds. If we can do that, perhaps the tragedy and frustration of the

last three weeks will not have been too big a price to pay.

Mr. Mackenzie: Mr. Speaker, I rise to oppose this bill as I did the legislation ordering the transit workers back before they even went on strike, and as I did Bill 179 and Bill 111. One of the reasons we are here today with this situation is that this House went through the exercise of passing Bill 179, the restraint bill.

I suggest to my friends on the right that when they supported that bill they made a mistake. I suggested to the members of the House at the time that over the next period of months or years we were going to see serious problems in labour relations in Ontario as a result of that decision. We are starting to see them. We have been seeing them for the last little while.

We have before us a badly flawed bill; I think it is deliberately flawed. It ignores the most serious issue, the cause of the strike itself. It is not a strike over money, as all of us understand. It is a strike over the quality of education. I think that quality applies not only to the students, but to the teachers' ability to teach properly. The clear issue was time for teaching, time for preparation, time for counselling students and, as of late, even things like cleanup time.

5:40 p.m.

The minister refers the dispute to an arbitrator who cannot deal with the instructional assignment issue. I think my leader said very well that does not make any sense. That is the key issue the strike was all about and the minister is trying an end run around it. Once more, the end run was articulated by the Council of Regents. That was exactly what it wanted.

The minister has shortchanged students in Ontario. That is exactly what she has done. They are caught between the proverbial rock and a hard place. We have a group of teachers who would rather be back in the classroom and who are feeling the pressure on themselves. They might not be ready to stick as much as the workers would at General Motors or some of the industrial plants. They are not really the same class of an organization—they are still in the professional days, I guess, with respect to their organization.

They desperately want to get back to school—as much as the students do. We all recognize that. But they will be going back to the classrooms with the status quo and worse. The situation is the same as it was. The educational system in the province is deteriorating. All too often class sizes are too large and there have to be shortcuts in the

preparation and counselling parts of the program. Indeed, counselling may be at a premium.

Concern is expressed time and again over the quality of education in this province. In my view, there is a real need to improve and increase the services and education the community colleges are providing. We are at a crossroads with respect to new technological changes and the rapidity with which workers are going to have to change their jobs and look at new jobs. So the issue of quality for the students and from the teachers is a serious concern. The new technology says the community colleges are probably going to be major players in the system as far as workers are concerned over the next period of time.

But the concern for the quality of education seems to be words only from so many people—I would say from the minister as well. The strike issue was not money; it was the quality of education. When some people finally say they want some action on the issue and are prepared to take a stand on it—and it is a vital issue to the students as well as the teachers—we find the minister and the ministry ready to clobber them. They will talk about the need for improvement in the quality of education but when the teachers make that the issue in contract negotiations we find how far the minister is ready to go.

This government is shortchanging the students at the same time as it clobbers the teachers. It will be shortchanging them, in the immediate and in the long-term future as well, with their response to this issue. The failure here is not just in the free collective bargaining system; it is clearly a failure of the minister and ministry too. This minister has not been impartial in this dispute.

The spitting incident was referred to, but I noticed the other day in one of the Toronto papers where it was reported that one of the students got after the minister in the corridors at Queen's Park. What was her response to him? "Go and talk to the teachers." Let no one tell me that does not show a built-in and automatic bias.

The Minister of Labour (Mr. Ramsay) has been on the side of the Council of Regents right from the start. We have asked questions in this House and have evidence that clearly outlines it. The Council of Regents knew it could hang tough in these negotiations, because the minister was ready to bail it out if the going got really tough. It knew whose side she was on.

I think that has to be said because it is desperately important that we do not get down on the whole idea of free collective bargaining. When that is undermined, as this minister has

undermined it, she is doing a disservice to workers right across this province.

The minister has also been prepared to use the fear of the students and the hard-line stand of the regents, and I think she probably orchestrated that stand. I say "orchestrated" because she also controls the purse-strings.

The other serious problem we have in Ontario is that our priorities seem to be getting more out of whack as the days go by. We are having constant fights and problems, whether it is the education system and the level of funding, the health system and the level of funding in many cases there, or the approach to workers. How can we make them the scapegoat? That seems to be easy to do in the current times in our province.

The minister has responsibility as well for the funding. That makes it easy for the Council of Regents. As long as the minister says, "I am going to hang tough, and you are not going to get the extra funding that may be needed in terms of the numbers of teachers or the class sizes," they are going to hang tough. When they know the minister is on their side, we are not going to get free collective bargaining.

Earlier this week the minister was telling us in this House that negotiations were going on when they had broken down. I am so discouraged with this minister—and I know that does not bother her, but it bothers me because of her responsibilities—that I would not accept her word for anything unless I had a signed and witnessed statement. I think the minister already knew those negotiations had broken down. We cannot take anything from this minister at face value and the responsibility does lie with the minister in this dispute.

Finally, I want to come back to my even more serious and fundamental concern about what is going on in Ontario. Once the government starts down the road of taking away the rights of workers in Ontario, it does not distinguish us very much from some countries of which I would not be very proud to be a citizen.

We did that with Bill 179 and with Bill 111. We did it with the transit workers. It seems to me every time this government is faced with this kind of crisis, a crisis I submit it is responsible for, it becomes easier and easier to bring in this kind of legislation. That is an extremely dangerous situation for Ontario. Who is going to be next? What group of workers will face the power of the state next? How much more can the government do to try to undermine the whole process of free collective bargaining? It seems to

be almost once a month now we are getting this kind of legislation in this House.

The minister should be ashamed of herself, this government should be ashamed of this legislation and any member in this House and certainly any opposition member who supports this kind of bill should be ashamed of himself or herself. I certainly could not bring myself to vote for it under any circumstances.

5:50 p.m.

Mr. Foulds: Mr. Speaker, I find it passing strange that we have a piece of legislation before us that purports to bring to a conclusion and to offer a solution to a three-week-old strike in the public sector, in the post-secondary education system of this province, and not a single Conservative member has bothered to speak either to the principle of the legislation or to the substance of the legislation.

The minister has even refused to outline a justification of the bill we have before us. We have had ex cathedra statements from the minister to the press and a ministerial statement at the opening of the legislative day, but we have had a refusal from the minister to participate in the debate. We have also had, so far at least, a refusal by any single spokesperson for the Conservative Party, the governing party, to give any rationale to this debate.

Hon. Miss Stephenson: That is inaccurate and untrue.

Mr. Foulds: Mr. Speaker, I would be glad to resume my seat and let the minister make her opening statement.

Mr. McClellan: Not even the member for Timiskaming has spoken.

The Acting Speaker (Mr. Cousens): The member for Port Arthur has the floor.

Mr. Foulds: Thank you, Mr. Speaker. The point I make stands.

Mr. McClellan: Why does the minister not go back home?

The Acting Speaker: Order.

Mr. Foulds: Mr. Speaker, I would like to outline very briefly the reasons my party and I oppose this legislation.

First, I oppose the legislation viscerally. I oppose it because it stands for everything I oppose. It is arbitrary. It targets a group of particular people, and it abrogates the principles of legislation already established by this Legislature.

As well, this legislation is repugnant to me intellectually. It is flawed legislation. If one can

put it charitably, it is the legislation of a bully. It is legislation, if one does not want to use language that is too extreme, that purports to be the final solution and is no solution at all.

Finally, I oppose the legislation because, as my leader and the member for Hamilton East (Mr. Mackenzie) have indicated, it is fundamentally unfair.

Let me just elaborate on those three major points.

As many of the members know, as I have told this story both in this Legislature and on the hustings of this province before, I happen to come from what would be called a working-class family. My father was a section man on the railway. In 1952, he was a section foreman on the railway and a member of the bargaining unit.

In 1952, the Brotherhood of Maintenance of Way Employees across this country on the railway decided they would exercise what Parliament had granted them: the right to strike. They had exercised every step of a full and free collective bargaining process up until that point and they could not get an agreement out of their employer. In the case of my father, it happened to be the Canadian National Railway, a crown corporation owned and operated by the government of Canada.

At that time, my father, who was a foreman, often in charge of as many as 100 men, was getting the magnificent salary of 97 cents an hour. The union, after negotiating for a considerable time, with the full authority of its membership, decided to take the step of striking. After striking for nine days, the men who laid the ties, the tracks and all of that kind of back-breaking, labouring work that was considered so essential to the wellbeing of this country, were legislated back to work by Parliament. The dispute was referred to an arbitrator.

Frankly, the arbitrator came in with what was perceived at that time to be a pretty good decision. It gave increases of 20 per cent. In 1952, 20 per cent of 97 cents was something like 20 cents. When a parliament can arbitrarily step in and take away a hard-earned and hard-worked-for right like that, which takes away the right for which men and women in this country have worked and fought for decades, it does something to radicalize a person. It does something to make one a person of the left, if one likes to put it that way.

It does something to make sure that every time a government brings in legislation that takes away the rights of a group of people, one

examines the legislation and examines it critically.

This is what I tried to do with this legislation. I believe in that trite phrase on the masthead of the *Globe and Mail* that has become known throughout the province and the country: "The subject who is truly loyal...will neither advise nor submit to arbitrary measures." I believe it is a fundamental duty of a legislator to fight against arbitrary measures.

What we have in this piece of legislation is an arbitrary measure to try to bail the government out of a situation of its own making. I believe if this government does not have the guts, the courage or the intellectual honesty to bring in legislation that removes the right to strike altogether, then it should not bring in legislation that removes the right to strike in a particular case.

Every time the government brings in a piece of legislation that says it is all right to do it in this one instance, the general principle is negated. Over the past 12 years this government has found it expedient to bring in back-to-work legislation at the rate of twice a year. That is an astounding record.

The government has done it with teacher disputes, transit disputes, elevator disputes and now the community college dispute. This government pays lipservice to the right to full and free collective bargaining, but then says, "It is all right to have all that process, but when you inconvenience us, when you embarrass us by exercising the right, then we will take it away."

We can see where this government is coming from when one combines this kind of legislation with the government's record of withdrawing the right to strike from individual groups over a history of 12 years and with Bill 179, to which my leader referred. Bill 179 put a cap not only on wages but also on transfer payments to municipalities, colleges and hospitals, and tied the hands of such supposedly autonomous bodies as the Council of Regents, hospital boards and so on in terms of negotiating with their employees.

This government is coming from an attitude that it is far more important to forgo the revenues that are legitimately the government's from the corporate sector of Ontario. The uncollected taxes from that sector could wipe out the deficit tomorrow had the government the courage to collect those deferred taxes.

It considers the triple-A credit rating from Standard and Poor's in New York to be more important to the reputation of the Premier, the Treasurer (Mr. Grossman) and itself than legiti-

mate spending on education, health, and community and social services.

When these things are combined, one knows this government puts not only collective bargaining last, not only the rights of the teachers last, but also the rights of the students and the rights of education last.

I would like to move on to talk specifically about this dispute.

The Acting Speaker: This might be an appropriate time—

Mr. Foulds: This would indeed be an appropriate time for me to adjourn—

The Acting Speaker: There is no need to adjourn.

Mr. Foulds: —or to pause.

The House recessed at 6 p.m.

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No. 113

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Thursday, November 8, 1984
Evening Sitting

Speaker: Honourable John M. Turner
Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday, November 8, 1984

The House resumed at 8 p.m.

COLLEGES OF APPLIED ARTS AND TECHNOLOGY LABOUR DISPUTE SETTLEMENT ACT (continued)

Resuming the debate on the motion for second reading of Bill 130, An Act respecting a Labour Dispute between the Ontario Public Service Employees Union and the Ontario Council of Regents for Colleges of Applied Arts and Technology and the Boards of Governors of Colleges of Applied Arts and Technology.

Mr. McClellan: Mr. Speaker, on a point of order: I think if we are going to be debating this kind of legislation, the least we can do is to have a quorum in here. I do not see one. Do you?

Mr. Speaker ordered the bells to be rung.

8:06 p.m.

Mr. Foulds: Mr. Speaker, you will recall that before supper I had begun my remarks outlining my three major points of opposition to this bill. I do not quite know where to fit this into the natural organic flow of my remarks, but I certainly would appreciate it if in some way during the course of the debate—

Interjections.

Hon. Miss Stephenson: The member for Port Arthur (Mr. Foulds) has the floor.

Mr. Foulds: Does the minister wish to make her opening statement? I would be glad to yield the floor to her now.

I hope during the course of the debate the minister will clarify the allegation by the member for Timiskaming (Mr. Havrot), quoted in the Northern Daily News, that the minister had related to her caucus the allegation that one of the negotiators for the college teachers spat at one of the negotiators for the Council of Regents.

If that report of the honourable member is incorrect, I would appreciate the minister indicating that to the House. It would remove a cloud from the atmosphere of the negotiations. If she wishes to get up on a point of privilege or order to clarify that, I would willingly yield the floor.

The dictum of Sir Thomas More, which has always been a dictum in law, is that silence

means consent. Therefore, I gather from the minister's silence that she consents to the report as relayed in the press.

Hon. Miss Stephenson: No, I do not.

Mr. Foulds: Would the minister like to put that clearly on the record, as well as by interjection?

Hon. Miss Stephenson: At the appropriate time.

Mr. Rotenberg: Is that on the bill?

Mr. Foulds: No, it is not. Perhaps the voice of the angel of Wilson Heights would like to clarify what did happen in caucus. I assume he was there and heard the minister's remarks.

Mr. Rotenberg: If the honourable member wants to sit down, I will be glad to.

Mr. Foulds: I would be glad to yield.

Mr. Rotenberg: The member would lose his place.

Mr. Foulds: No, I would be glad to yield to the honourable member on a point of order. I am also very pleased the member for Wilson Heights (Mr. Rotenberg) has indicated there is going to be a Conservative with the courage to participate in the second reading debate; someone on the government side actually will get up and speak on this legislation during the course of the debate in principle on this legislation.

The Deputy Speaker: I was going to remind the member that is what we were here to do.

Mr. Foulds: I beg your pardon?

The Deputy Speaker: I remind the member this is what we are here to do. Let us not flirt with allegations or suggestions imputing anything to any other honourable member. If we can return to the principle of the bill, that is what we are here to discuss.

Mr. McClellan: It was reported in the press. It is a matter of public record.

Mr. Foulds: I would repeat for the record the interjection of my colleague the member for Bellwoods (Mr. McClellan) that it is a matter of public record. The allegations made by the member for Timiskaming were reported in the Northern Daily News. This report has not been repudiated either by that member or by the minister, and that has clouded the negotiations.

It is the kind of atmosphere that is promoted among government members that leads this government to bring in this kind of legislation with no rationale and actually with no debate substantiating its reasons in this very important debate on the principle of bringing in the legislation.

Let me just recap a few of the remarks I made before supper so that the full framework of the argument I am putting will be brought to the attention of all members.

First of all, I am opposing this bill because it is a fundamental attack, such as this government has made again and again during the last dozen years, on the full and free collective bargaining process, including the right to strike.

Second, even if one accepted the principle of compulsory binding arbitration, the arbitration that is outlined in this bill is absolutely the worse kind of arbitration that one could imagine: a single arbitrator appointed by a non-partisan government—ha, ha, ha—an arbitrator who obviously will be totally independent of government influence, just as the Council of Regents is totally independent of government influence.

Interjections.

Mr. Foulds: The minister does wish to make her opening statement.

The Deputy Speaker: The minister does not have the floor.

Mr. Foulds: Oh, she does not have an opening statement.

Not only is the arbitration fundamentally flawed in format, but the bill itself, as a follow-up to the kind of legislation this government has introduced in the past in Bill 111 and Bill 179, hamstring the arbitrator even from bringing in a reasonable and freely thought through, freely conceived arbitration decision because of subsection 5(5), which says, "In making his decision, the arbitrator shall consider as a factor the ability of the employers to pay in light of the existing provincial fiscal policy."

What is the existing government fiscal policy? Let me just outline three points very briefly. It is, first, a failure on the part of the government to collect the taxes that are already owed to the people of Ontario by the corporate sector. There are \$2.2 billion in taxes owing to the public of Ontario from the corporate sector that this government has failed to collect.

If it collected that \$2.2 billion, we could wipe out the deficit tomorrow. If we actually collected those taxes and actually did a combination of reducing the deficit, creating jobs and assigning

that money to social, health and educational expenditures, we not only could have a more balanced budget, we could have a more balanced economy.

Second, what is the government's fiscal policy? The government's fiscal policy, as announced in a memo by the Premier (Mr. Davis) to his cabinet and leaked to the Toronto Star, is a severe curtailment of transfer payments and expenditures on health, education and social services. What we will have is a severe reduction. Part of the government's fiscal policy is to reduce those transfer payments to about three per cent.

According to the legislation that has already been passed in Bill 179 and Bill 111, we do not need to have a clear statement of policy. As long as the Treasurer (Mr. Grossman) or the Premier says it, that is policy.

What is the third pillar of this government's fiscal policy? It is kowtowing to Wall Street, a simple obsession by the Premier, the cabinet and the members of the government party to keep the triple-A rating at any cost. What is that cost? How much does the government save this coming year by having a triple-A rating instead of a double-A-plus rating?

Mr. Kerr: Five seats.

Mr. Foulds: The member for Burlington South (Mr. Kerr) puts it in the most honest way: it saves the government five seats. That is exactly what it does. That is all it does. The government did not plan to borrow any money on the capital markets this year.

Interjections.

The Deputy Speaker: Order. The member for Port Arthur was returning to the principle of the bill. Do not distract him, lest he get off into some kind of budget debate.

Mr. Piché: You cannot distract a one-track mind.

Mr. Foulds: At this stage of the game, I think the member for Cochrane North (Mr. Piché) would dearly love to have a track to put his mind on.

Let me return to subsection 5(5) of the bill on which I was speaking. The arbitrator must consider the existing fiscal policy of the government, which is entirely negative when it comes to trying to remedy the chronic underfunding of the college system that has occurred in the past several years.

This bill fails to deal with the work load problem in any way, shape or form. It brings in arbitration. It says the dispute must go to

arbitration. Both sides have agreed the centre-piece of the dispute in the several months leading up to the present impasse has been work load, but that is hived off entirely from the arbitration process.

I believe the member for York South (Mr. Rae), the leader of the New Democratic Party, was absolutely right this afternoon when he indicated to this House that his reading of that section of the bill is that it is contrary to the Constitution and that the bill is flawed constitutionally.

I want to illustrate the situation in the province by reference to the situation I know best, the one in Thunder Bay. I met with half a dozen students in my office on Sunday. They phoned and wanted a meeting because they wanted to see what could be done to remedy the impasse. This was a cross-section of students from accounting, auditing, industrial relations and the business faculties of Confederation College in Thunder Bay. What intrigued me was that not a single student wanted back-to-work legislation, and I found that—

Interjections.

8:20 p.m.

The Deputy Speaker: Order. The member for Port Arthur has the floor.

Mr. Martel: It was government policies that caused the strike.

The Deputy Speaker: Order. While we have this pause, let us remind all honourable members that the—

Mr. McClellan: We do not have a pause.

The Deputy Speaker: We did have a pause for a moment. I would remind all members that we were having discussions in all three caucuses that were distracting from the debate. Perhaps they can keep their private conversations low so the member for Port Arthur can continue with the debate on the principle of the bill.

Mr. Foulds: Mr. Speaker, as I said, what impressed me and what surprised me, frankly, was that not a single one of those students thought back-to-work legislation would solve the problem. I told them at the beginning of the discussion that in all probability if there was such back-to-work legislation, I would not be able to support it in principle unless there was an extreme flexibility on the part of the ministry and an extreme humanitarianism on the part of the minister, which had never been previously displayed in legislation brought forward by this government or this minister.

They indicated to me—and this quite surprised me—that they did not think back-to-work legislation would actually solve the problem. I asked them, “What are the problems as you see them?” They gave me two answers. They said they felt that during the last two to three years in particular there were two major problems that were increasing.

One was class size and the other was the fact that as students they were not getting the individual attention they required, deserved and felt their teachers often wanted to give them. They gave me just three examples I thought illustrated the point fairly well.

First, most of them belonged to either an accounting class or an industrial relations class. What had happened with those two different streams, if you like, is that the course for statistics had been amalgamated into one class so that the class had 45 students. This was the number that presumably should have been taking the course after the class was amalgamated. As a result, between September and this date, a class of 45 had actually decreased to a class that ran around 25 to 28. In other words, about 20 of the students simply dropped out of taking that class because there were not enough desks in the classroom and there was not enough attention. There simply was not space for them.

That seemed to me to be a small, and perhaps mechanical, but very real illustration of what has happened to the bright hopes of our community college system. Members will recall that our community college system was founded in a spirit of idealism in an attempt to train and retrain those students who in many cases had not done all that well in high school. Somehow the high school education system had failed, and the major reason for the creation of the community college system was to help those students who might not otherwise have been able, for example, to go to university, to get a post-secondary education.

The system by its very nature requires more individual attention. The illustration they gave me indicated to me the system at this present time, in that particular class, was failing in that objective.

Another illustration they gave me was also a simple and mechanical but very real one. One class of 24 was put into a classroom, because it was the only classroom available, with 18 desks that were bolted to the floor. There was no way of getting an additional six desks or spaces in the classroom. That class was an auditing class.

The third illustration they gave me was of a first-year general business class. This I really found difficult to believe. They told me that from the beginning of the year not only was the classroom full, not only were students standing against the walls in the classroom attempting to take the class, but also there were students actually sitting in the hallway outside the open door of the classroom trying to overhear the proceedings inside.

If that is happening in our post-secondary educational system—and I believe absolutely the story the students told me; I have no reason to believe otherwise—it is a disgrace, and this bill does nothing fundamentally to remedy that disgrace in the post-secondary educational system of this province.

One of the students involved was a very interesting young man. He had been on strike as a Canadian Union of Public Employees worker in Thunder Bay this past summer and he was going to school full-time to upgrade his education in the hope of getting a better job opportunity with his employer when he returned to work. I want to read a couple of paragraphs from a letter he wrote to the editor of a weekly paper in Thunder Bay called Lakehead Living. He says this:

“The current faculty strike at Ontario’s 22 community colleges is of great concern to me and thousands of other students. I have been a full-time student at Confederation College for the past one and a half years; I have an additional one and a half years to complete before I graduate. I have invested a portion of my life and a considerable amount of my money in my quest for a better education.

“Therefore, I have a great personal stake in the outcome of the present labour-management dispute. The point I wish to make, however, is that the outcome of the strike will have a far-reaching effect on all Ontario residents, if not all Canadians.

“Regardless of the rapid technological changes taking place in our society and the inclination of employers to automate and robotize the work place, Canada’s most valuable asset is still the human resource. Although the new ‘industrial revolution’ is eliminating many traditional jobs, it is nevertheless creating an accelerating demand for people with the education, skills and training necessary to meet the future needs of business, government and society. Naturally, Canadian college graduates should be given the opportunity to fill these positions; we are certainly willing to do so.

“In the past, our standard of education has been ranked among the highest in the world. We have produced more brilliant minds than for which we had jobs. This is evidenced by the overwhelming number of Canadian expatriates who hold positions within the American NASA program. Throughout the 1960s and 1970s, a ‘brain drain’ took place during which many highly skilled and educated Canadians were forced to seek employment elsewhere, because job opportunities in their related fields were practically nonexistent in Canada.”

I will leave out part of the letter. He goes on to say:

“Therefore, it is important to recognize that quality of education, not wages, is the central issue in the college faculty strike. Class size is an important factor. The Council of Regents has steadfastly maintained that it wants to increase the size of classes. Last year there were close to 40 students in my first semester class, and we were packed into classrooms that were designed to accommodate up to 30 people.

“The early birds got the seats. The rest of us were forced to sit on the floor or lean against the wall, hardly an atmosphere conducive to learning. This year a class size of 50 people is not unusual. There is every indication that the situation is going to get worse before it gets better.

8:30 p.m.

“Another contentious issue is that of recognition of the work performed outside the classroom. Presently, only the hours spent by the faculty teaching within the classroom environment are recognized. The current maximums per teacher per week are 20 and 22 hours. Of course, anyone who has ever attended school knows that a teacher spends a great deal of time doing job-related work beyond the actual time spent instructing. Lessons must be prepared, courses must be revised, tests and assignments must be written up and marked and the student seeking assistance must be given attention.

“The Council of Regents wants to remove the ‘caps’ on the maximum classroom hours per week worked without giving due consideration to the out-of-classroom hours per week worked. Such a policy, if implemented, would result in one of two situations—teacher work-to-rule or teacher ‘burnout.’ Either one would have a devastating effect upon the quality of education.”

He goes on to make what I thought were two striking parallels. In the letter, this young man, Ron Smith, says:

"The council's stance is as unrealistic as it is unfair. If, for example, this policy were applied to a police force, the time spent completing reports and appearing in court would not be considered time worked. If it were applied to a fire department, only the time actually spent fighting fires would be deemed time worked. The firefighters would be expected to train and maintain and repair their equipment on their own time."

I think those two parallels speak eloquently to what is wrong with the present failure of the government, the failure of the ministry and the failure of the Council of Regents to deal with the work load problem.

Finally, after skipping a good portion of the letter, I want to read into the record his last paragraph:

"We, the students, wish to see the strike (or, indeed, force-out) concluded as soon as possible. We also want the end result to be an improvement, not a degradation, of the substance and quality of our education. This will not occur unless the Council of Regents changes its position and begins to bargain in good faith with the faculty."

I suggest that not only has the bargaining failed to come to a fruitful and worthwhile conclusion, but the role of this minister and this ministry has actually poisoned the atmosphere in which the negotiations could fruitfully take place. The chronic underfunding of the school system in past years has led to this inevitable result.

That letter puts it as eloquently as I could on behalf of the students.

Mr. Rotenberg: About 90 per cent of the students disagree with that.

Mr. Foulds: The member for Wilson Heights will get his chance.

Mr. Breagh: Who threw the bone out at him?

Mr. Rotenberg: That member has one in his teeth.

Mr. Philip: This government threw the seniors out on the streets. Now it wants to throw the students out too.

The Deputy Speaker: Order.

Mr. Foulds: The member for Wilson Heights will get an opportunity to speak in this debate should he wish to take it. I want to conclude with these few remarks.

Mr. Rotenberg: Not if the NDP keeps filibustering.

Mr. McClellan: Has somebody written him a speech? Somebody should write it in crayon for him.

Mr. Foulds: The legislation does absolutely nothing to deal with the educational situation. The government and the official opposition are saying they are voting for this legislation because the students come first. I agree with the theory that the students come first, but what does this bill do for the students? Can anyone tell me in simple direct language how this bill improves the quality of education for the students?

Mr. Rotenberg: It puts them back in the classroom.

Mr. Foulds: Does it? Oh, it puts them back in the classroom. It puts them back in the hallways of Confederation College where they can overhear part of a lecture in an overcrowded classroom. It puts them leaning against the walls trying to take notes in a post-secondary course, trying to concentrate on a difficult subject. Does this legislation reduce class size?

Interjections.

The Deputy Speaker: Order. The member for Port Arthur wants to carry on.

Mr. Foulds: I want to get back to the point that the official opposition and the government are saying they are voting for this bill because they believe the students come first. As the member for Wilson Heights has put it in his blunt and eloquent way, it gets the students back into the classroom. At what cost? In what situation? At what cost to labour relations? At what cost to what has been in the past a fairly productive and a fairly amiable atmosphere in the post-secondary educational system of this province?

What does this bill do for the students? It does not reduce class size, it does not increase the individual attention the student receives from his instructor and it does not remedy the chronic underfunding of the post-secondary educational system by this government. Does this bill do anything fundamental to remedy the situation in which the students at Confederation College find themselves? Does it do anything to improve labour relations between the parties involved? Does it do anything to improve the educational atmosphere in that college?

The answer to all those questions must be no. Any of us who has been connected with education in any way know that the transference of knowledge, which is the beginning of wisdom, from a teacher to a student has to take place in a conducive atmosphere. This bill does nothing to create that conducive atmosphere. I must, therefore, oppose the bill.

I oppose it on the grounds that it is a fundamental attack on full and free collective

bargaining, including the right to strike. It is the worst kind of arbitration legislation. The bill is fundamentally flawed internally in its own drafting. It does nothing to address the problem of work load. While it gets the teachers by the full force of law back to the classroom and entices the students back to the classroom, it does absolutely nothing to create the educational atmosphere in the classroom that will further the education of our post-secondary students in the community colleges of this province. For all those reasons, I oppose it.

Mr. McClellan: Mr. Speaker, I rise on a point of order with respect to section 1(b) of the standing orders of this assembly which empower you to make decisions based on the usages and precedents of this Legislature and parliamentary tradition.

We are engaged in a second reading debate on very important legislation. To date, not a single member of the government has deigned to speak during this debate. The minister introduced the bill and sat down in her place. We have been engaged in the debate now since about 3:30 p.m. and not a single member of the government party has participated.

It makes a mockery and a farce out of all our traditions. It is a display of arrogance and contempt such as I have never witnessed in the nine years I have been in this assembly. There has never been a second reading debate in which the government has refused to participate. To treat the members of this assembly with this kind of contempt is intolerable, sir. I do not know what you can do about it. Because the government has made a decision to be so contemptuous of us that its members are not even going to participate in this debate, I wish at least to put it on the record and have it noted.

The Deputy Speaker: We have noted the member's point of order. I do not think one can presume who is going to participate and who is not going to participate in the debate.

8:40 p.m.

Hon. Miss Stephenson: Mr. Speaker, on the point of order: I was under the impression that outside of a long opening statement or other explanation—and one was given today at the beginning of the question period—the usual practice for the minister was not to participate until all other members had their chance. I thought that, in actual fact, the participation of the minister involved closed the debate. If this is not right I hope the Speaker would correct me.

Mr. Foulds: On the same point of order: in speaking of the minister's responsibilities, let

alone the government's, it is well known the minister has the right, in the debate on second reading, to both open the debate and close it. This has not occurred. The minister has not deigned to open the debate. Second, I think the government has a responsibility to debate the legislation and it has refused to do so.

The Deputy Speaker: Order. The member for Port Arthur will take his seat. There is no point of order. The member for Bellwoods raised some thoughts and we heard comments. With all due respect, the debate continues as the members offer themselves. The member for Etobicoke (Mr. Philip) was next. With all due respect, the Chair cannot force anybody to speak. The member for Etobicoke has the floor.

Mr. Philip: Mr. Speaker, a few years ago, before the standing committee on the administration of justice of this Legislature, a courageous president of a community college—

Mr. Piché: You talk in circles and say nothing.

Mr. Philip: I am sorry. If the member for Cochrane North wants to speak, I will yield the floor to him.

The Deputy Speaker: The member for Cochrane North knows the member for Etobicoke has the floor.

Mr. Philip: Mr. Speaker, a few years ago, a courageous community college president got up to appear before a committee of this Legislature, even though he did not have to. If one reads Hansard of May 30, 1979, one can see the chain of events that has led up to this strike, that has led up to what we have been suffering for the last three weeks. It was predicted at that time.

At that time, the minister failed to listen to President Wragg when he talked, not only on behalf of his own college but on behalf of the presidents of colleges of applied arts and technology. President Wragg talked about the conditions existing back then in the community colleges. He talked about the major crisis that would occur in the community college system unless better funding came forth from the provincial government.

President Wragg talked about, in his words, "the noose getting tighter and tighter around our necks." It took a lot of courage for a man in his position to come before a committee of the Legislature and before the minister to spell out exactly what was happening in the community colleges.

If the minister had the sense to read Hansard or to listen to President Wragg, she would have

realized she was responsible. She could have acted in those years not to have this strike in the first place and not to have this legislation before us now.

Since the minister obviously did not listen to President Wragg at that time I would like to remind her of some of the things he said. I think they relate directly to this bill and to the exercise we are now in.

First, he talked about the kinds of restraint. He said that under the former Bill 19, it would take a "super" minister to be on top of this kind of gigantic ministry. We can see the kind of super minister we have had since then. She is an expert on everything; she knows all the answers; and the people are out on the streets. These are the kind of results we got from that super minister.

We look at the kinds of figures he was quoting back then. He said, "When you're talking of budgets, and I am sure Dr. Stephenson"—he was talking directly to her—"is sick and tired of hearing about money, she probably goes nowhere but this is the main topic of conversation."

This was in 1979 when he was tracing the history of what had been happening to community colleges at that time. He said: "In the current year, the colleges' grant was increased by 5.2 per cent. The inflation rate last year was 8.9 per cent; a year ago, it was 5.7 per cent, the inflation rate was 8.4; the year before that the rate of increase was 6.3, inflation 9.5. Every year the noose seems to get a little tighter. The absolute miracle to me is that over these years the community college enrolment has just been going up like that. My colleagues and I say, 'Look, fellows, our job is to educate the students, and if it means sacrificing services, if it means dispensing with counsellors, with anything other than teachers, okay, that's the ball game.'"

He gave a rather colourful analogy. He said: "It's like the story of a couple of ants having a conversation near a golf ball. The swing comes and nearly obliterates them; another one, then one says to the other, 'You know, if we're going to survive, we had better get on that golf ball.'"

If we look at what is happening at the community colleges, all the teachers and counsellors have been getting on that golf ball. All the things we originally thought were essential and knew were in the benefit of the students such as the counselling services and the library services have been cut.

A colleague of mine asked President Wragg further on, "Is there any room to cut any further?" He said, and I do not have the direct quote here: "We have cut as far as we can go. There is no

more to cut." That was in 1979. Of course, the cuts have been coming harder and harder and we are now faced with this situation.

It is too bad the minister did not listen to President Wragg at that time. It is too bad she did not look at what was happening in the colleges at that time. We would not be in this situation. It took a lot of courage for President Wragg to come before a committee of the Legislature and present that information. The same kind of professionalism that motivated him to come forward, face the television cameras and face the minister, his boss, and tell her she was wrong forced the community college teachers after years and years of professional frustration to take to the streets to try to take their message to the minister and to the public.

Many of them have personally lost considerable income in this particular strike. Wages are not in dispute. What the community college teachers have been fighting for and the message they have been trying to get through to the minister is that they are on strike because, as professionals, they must stand up for the quality of education. The issue is that we cannot have an increased teacher work load and expect quality not to decline.

The one issue this bill does not deal with is the very issue the people are on strike for. The one issue this bill does not deal with in any way that will expeditiously solve the problem is the same problem President Wragg told the minister was a crisis when he spoke on behalf of the community college presidents in 1979.

In June a report was prepared by a task force set up by officials of the Ministry of Colleges and University officials. That report was entitled *An Analysis of Unit Operating Costs In Ontario's CAATs, 1978-79 to 1982-83*. It shows that the work done by the colleges of applied arts and technology has increased by far more than the resources allocated to them by the province.

This study shows the real operating costs have been sharply reduced over this five-year period as a result of a 15 per cent increase in the average size of class sections, a 5.5 per cent reduction in the hours of in-class instruction provided annually to a full-time, post-secondary student, and a one per cent increase in hours taught annually by full-time faculty.

The summary of the college growth study report in October 1981 report by the Council of Regents expressed concern over "the lessening real support for the college system."

8:50 p.m.

It is interesting that instead of releasing that report the ministry has refused to do so. Instead, the Minister of Colleges and Universities has used the media to make threats against community college teachers and inaccurate and misleading statements about the number of hours the teachers are working. Contrary to the statements made by the minister, one recent study shows that post-secondary teachers work a total of 41.18 hours per week as compared to nonpost-secondary teachers, who work 37.55 hours per week. The Conservatives are trying to avoid the real issue. The strike will undoubtedly end when they legislate them back to work, but the problem will not end.

A number of years ago I was involved in running a number of professional development courses for community college teachers. Some of them are in the gallery tonight. I am aware of the number of hours they spend out of class in professional associations, in the preparation of their courses, in the preparation of exams, in the teaching of certain courses and in counselling students, for which they never receive a cent of pay. In some cases they work with professional organizations to develop the professions they originally came from.

When one has this knowledge of what community college teachers are all about and of the number of weekends they give not just to the college and not just to the students but often to their profession and professional association, one wonders how someone in the position of Norm Williams, the chairman of the Council of Regents, can be so bold or so ignorant as to tell the media that the teachers are only working a maximum of 700 hours a year, which means "literally that they have May and June off as well as 10 days at Christmas and 10 days at Easter." Either he is so terribly poorly informed that he should not be in that job or he is deliberately and calculatingly misleading the public and the media. That kind of thing should be pointed out and chastised by all of us in this House.

The government—to its credit, I suppose; although it has had 41 years to practise this kind of thing—has been successful in its propaganda war. There has been a lot of misleading information in the press and in the media. Certain journalists, like Barbara Amiel, that great southern clone of the member for Timiskaming, write articles about the community colleges.

She is so knowledgeable about them. She says, for example, that the average faculty member's salary is \$40,000 a year. We know, of course—and she could have known if she had

done any kind of research—that the maximum salary that can be earned by a college teaching master is \$43,034 and the maximum for a full-time instructor is \$31,938, but that starting salaries are \$22,035 and \$18,812, respectively.

It takes 16 years for a teaching master to reach a maximum level, and since the colleges have been operating for only 17 years, it is mathematically impossible for the average salary to be anywhere near the figure that Barbara Amiel cited in that article, unless you assume that all of the existing faculty members have been on the staff since 1967, which of course is not the case.

Then we have the kind of example that I think this strike is all about. Let me give members an example that was cited by Gary Noseworthy, a teacher at Humber College. He says that in this college teachers are trying to teach too many students in too little time and in too little space, and he gives the following example. He says his campus was designed to house 4,500 students; 7,800 students are currently enrolled. Writing classes have grown from 20 students per class, four classes for five hours per week, to an average of 27 students per class, five classes for four hours per week.

A writing teacher today, who has his or her students produce only 10 pieces of writing per semester, marks 1,200 papers, and most of them do so with care. That is the kind of work load we are talking about.

I know, from a very personal point of view, the work load community college teachers have. My wife, who is a teacher of nursing at Humber College, spends much of the Christmas holidays preparing exams and correcting papers. She spends hours at professional meetings of the Registered Nurses Association of Ontario and spends weekends travelling to Ottawa preparing exams for the provincial examinations.

When we look at her profession, the work load for nursing teachers is not 700 hours of contact hours per year, but 775 hours. Nursing instructors also put in as many as 28 hours in class alone. The reason is that the administration will not recognize clinical supervision in various hospitals as part of the in-class work load. It is that type of inequality the teachers have been asking the government and the Council of Regents to look at for the last few years.

This bill simply procrastinates further on that. The nursing faculty is concerned about patient care and student education. In 1979 I talked about this to President Wragg when he appeared before the justice committee I was chairing. He admitted there were safety hazards in increasing

the student-teacher ratio in certain types of training courses.

Nursing teachers report that in clinical settings in the hospitals the number of patients per student has risen dramatically from two patients per student to 4.5—more than double. The faculty began with specific guidelines from health professionals who set a maximum of eight students per teacher for safe clinical conditions. It has now risen as high as 10 and even 12 in some cases.

We are talking about a group of people who knew they had a problem and tried to solve that problem in as conservative and as moderate a way as we could possibly ask. After years of being promised that committees would deal with it and that solutions would be found, they finally said in desperation, "We have to put our money where our mouths are, even though it is going to cost us personally." In the case of my family it has already cost us a couple of thousand dollars in salary.

They have gone out and tried to convince this minister that she should listen to the public, to the teachers and to what is happening in those community colleges. Maybe she should visit some of them and see what is really going on in the nursing classrooms and not stay aloof with her MD, thinking she knows everything about the medical profession as well as about colleges and universities.

Figures released by the Ontario Federation of Students show that the resources in the 22 community colleges are 25 per cent below what is needed to accommodate existing student enrolment. As President Wragg stated, the noose is getting tighter and tighter. I would be willing to consider any bill that would come to grips with that essential professional problem.

It was a professional problem the teachers were dealing with when they went on strike. This bill does absolutely nothing but procrastinate about the problem for a still longer period of time. The minister has no credibility in the community colleges or among the community college teachers. She has no credibility among such associations as the Ontario Association for Continuing Education. She has no credibility with members in the House and I think she should resign. I am voting against the bill. I hope she will see it not only as a vote against this bill but also as a vote of no confidence in her as an abominable minister who has no right to continue in that post.

9 p.m.

Mr. Rotenberg: Mr. Speaker, the member for Port Arthur asked what this bill does. It does one very simple thing: it gets the students back in the classroom, where they belong. That is the prime, overriding, important issue. It is far more important than any issue that has been discussed tonight. It is more important than solving any other problem. The most important problem is getting the students back in the classroom.

I have had calls from many students in my riding. They all want to go back to class. There have been students demonstrating in front of Queen's Park. They want to go back to class. I have had parents call me. They all want to get their sons and daughters back in the classroom. I have had community college teachers call me, and they all want to go back. They want to go back now, and that is the prime situation.

The teachers are professionals and they want to exercise their professional qualifications. They want to teach. As one teacher said to me yesterday: "I feel I am being used. I want to get back into the classroom."

The answer is to get this bill passed now and get the students back into the classroom. If we believe in helping youth unemployment—and we hear the opposition barracking and braying every day about youth unemployment—let those students get back, get their knowledge, their discipline and their apprenticeships, get their certificates and let them get into the work force.

I know there are some problems in the community colleges. Those problems need solutions and they should get solutions, but they should get them in a calm, proper atmosphere where they can be discussed and not this atmosphere of confrontation.

There are hundreds of thousands of students out there being held hostage and the members of the New Democratic Party want to continue to hold them hostage for their own small problems. I say: "Stop it. Pass this bill tonight. Get the students back in the classrooms. Get the community colleges working again. Then in a calm atmosphere we can sit down and solve the other problems."

Mr. Laughren: Mr. Speaker, for a moment I wondered—and I still wonder—if the member for Wilson Heights is under some misapprehension that the teachers or students do not want to be back in the classroom.

Mr. Rotenberg: They want to be back tomorrow.

Mr. Laughren: Yes. They want to be back as soon as possible. But I think if we were to ask them how they wanted to be back, they would say

they would like to be back as a result of the collective bargaining process. That is how they want to be back.

Every member in this chamber, even those who do not have a community college in the riding, has students and parents in his or her riding. Our phones have been ringing. I have certainly had my share of phone calls expressing concern about the strike. I understand that. Elected members do not lightly oppose a bill such as this. There seems to be a sense that we are opposing this bill for other than honourable reasons. It escapes me why people would think that.

It should not be lost on members of the public, members of the teaching profession and students that one reason it becomes easier and easier for the government to pass back-to-work legislation is that it knows, without exception, it can count on the support of the Liberal Party of Ontario. That is one of the major reasons.

If both opposition parties were opposed to this kind of draconian legislation, the government would be required to think twice. Now it can bring in legislation in a mindless fashion because it knows there is an overwhelming majority of members in this assembly who will support the bill regardless of how odious it is; and believe me, this bill is odious.

I used to be a teacher in the college system before I became a member of the assembly in 1971. I would like to go back to the college system some day. I would like to go back when I decide to go back, not when one of the other two parties might decide I should go back.

Mr. Gillies: We would like you to go back.

Mr. Laughren: I know the members opposite would, and I do not blame them for that. That is a compliment. I mean it when I say I would like to go back to the college system.

I know quite a few teachers in the college system in Sudbury and on three different occasions I walked on the picket line with them during this strike. I was proud to do so. The people on the picket line I knew back in 1970-71 were people who, when the colleges were new, by and large had come either from the business community, as I did, or from the professions, such as engineering.

It does not come easy for many people to go out on strike. It is a difficult decision to make and it is difficult to walk on the picket line. I was most impressed by the resolve shown by those teachers. While the member from Wilson Heights can say they want to be legislated back, I want to tell members I did not have a single

college teacher, not one—and I talked to many on those three different occasions on the picket lines—indicate to me they saw this as the solution. They desperately wanted a solution but this kind of legislation was not what they saw as the solution.

Without exception they said: “Look, you understand the system, you understand what work load does to a teacher. That is our concern.” That is why they wanted to debate that first before they got into money. I am sure the minister would have been much more comfortable if she could have precipitated the strike on the question of money rather than on work load. It would have satisfied her more.

The teachers were determined to maintain the quality of education in the college system. I know that when one teaches 19 or 20 or 21 or 22 hours as a post-secondary instructor, which I was, that is a heavy work load. I can recall having four different preparations to do for my teaching and I found that very difficult, and I had some large classes as well. When one attempts to take the cap off the work load one really is waving a red flag at any teachers who care about the job they are doing. If one simply wants instructors to go in and baby-sit, fine, one can do that. I do not think that is what people in Ontario want of their college system.

When the Premier announced he was resigning, a reporter asked me “What do you regard as the monument to the Davis years?” I said that in a funny way I did not think he should be remembered by his years as Premier, quite frankly, but by his years as Minister of Education and mainly for the creation of the community college system. I think it was progressive thinking at the time. That was back in the 1960s. It put us in the forefront of the college system in this country. It was a good move. I would not say it was ahead of its time but when that did happen it was timely.

I have always felt a continuing pride in the college system and I hate to see the system being degraded. When I talked to a number of my former colleagues at Cambrian College of Applied Arts and Technology I have occasionally mentioned to them that I wanted to go back. A surprising number of them, prior to this strike, said to me “You know, you had better think about it, because it is not the same as when you were here.” When I pressed them on it they would say “Working conditions just are not what they were 10 or 12 years ago.” That bothered me a bit but I never really thought too much about it until now, when we see what is happening with this strike.

9:10 p.m.

I am quite determined in my opposition to this bill. In sending the teachers back, it is saying that forever and ever, certainly for the foreseeable future, no college strike can last more than three weeks. When the minister replies, as I hope she will at some point in this debate, I ask her to tell me why the sides should settle next year when the contract comes up. Why should either side give up anything in the give and take of the collective bargaining process? I do not know why they would settle. They can sit back and say: "It is certain the minister will intervene. We can always count on the minister and the official opposition in Ontario."

Before then an election may intervene in the normal course of events around here, but nevertheless, I think the minister understands what I am saying. When a benchmark such as this is set, it effectively becomes the benchmark and it is very difficult for any minister of the crown to allow any strike in the college system to go on longer than that. The minister might say, "Yes, it should not go on any longer than that," but what she is really doing is serving notice to both sides that she is tough and will intervene after a certain time.

I can recall very well in 1978 or 1979 when the secondary school teachers were on strike in Sudbury. That was the most difficult time of my 13 years in this assembly, because if I think my phone has been busy recently I want to tell the members that during those three months the phone calls were most persistent and in some cases downright nasty.

Despite almost daily proddings during those three months from the then leader of the official opposition, Dr. Smith, and the Ontario Liberal Party to legislate them back to work, this minister stood in her place and persistently said: "No, they will settle collectively. They will settle through the collective bargaining process." Every time the then leader of the official opposition raised the issue of legislating them back, we could just feel each side digging in a little deeper in anticipation that they would be legislated back.

Strangely enough, the secondary school teachers—those teaching grade 12 and grade 13 as well as the other grades—could be allowed to miss school for three months. Here we have a three-week strike and the minister brings in back-to-work legislation.

I will not get into the particulars of the legislation itself; I will save that for the clause-by-clause debate. Besides, I know Mr. Speaker will rule me out of order. However, I

really do have to scratch my head and say: "Wait a minute now, everyone understands a couple of things. One is that the issue is work load, but that is not to be discussed or decided by the arbitrator. It is specifically excluded in the bill; work load must not be considered by the arbitrator. One has to wonder about the wisdom of that."

The second thing everybody understands about this dispute is that the minister has been the major impediment. I do not think I am being unduly partisan, certainly not unfair, when I say that. Almost from day one it was clear to everyone that the minister was not at all sympathetic to the cause of the teachers and was four-square with the position of the Council of Regents. As days, then three weeks, went by, the evidence kept mounting that was precisely the case.

The minister might want to dissociate herself from another event that happened, but I think it reveals the sense over there in the Conservative caucus. That was the remark made by the member for Timiskaming when he accused a union bargainer of spitting in the face of a management negotiator.

Mr. Cooke: As reported by the minister.

Mr. Laughren: Yes. He said the minister had told him that. I do not know whether the minister said that, but it is an indication of the attitude of the Conservative caucus. The bias was there from the very beginning. Right from the beginning, none of us had any doubt about which side the minister and the members of the Conservative caucus were on.

That is what bothers us a great deal about the way they find it so easy to bring in back-to-work legislation. The government is really telling the public sector in Ontario it does not have the right to strike, except the government does not have the courage to say so. That is what it comes down to. The government would rather have the impression that the right is there as long as the public sector does not use it. It is unfair and dishonest.

One of the other things that bothers me is the argument that is always put forth about student jeopardy. As a former teacher, I had a sense of what I should teach students during an academic year. I can remember looking at my plans for the year before the academic year started. I was a teacher of economics. One year it would include certain topics. Another year, I might change that and include other topics. I might drop a topic or two and add a couple of new ones.

It might change from more of a teaching situation to one of learning, where the students

learned more on their own by doing essays, research and so forth. I have always felt there is no perfect or ordained quantifiable body of knowledge that any student has to have in any one academic year.

I do not know how the government members and the opposition members seem to think they know when a student's academic year is in jeopardy. I do not know how they know the quantifiable amount of learning that must go on in any given year. It has always puzzled me when it comes to jeopardy.

When the high school teachers were on strike, when parents of grade 13 students were phoning, concerned about them losing the year and so forth, I said to myself, "Is our educational system so fragile that one, two or three months out of 13 years can cause a student to fail?" Is it not remarkable that we have hinged 13 years of education on one, two or three months? I do not understand that.

Mr. Rotenberg: What about a short course for training?

Mr. Laughren: Education does not begin and end in one year. It is a continuum.

Mr. Foulds: Maybe the member for Wilson Heights should take a couple of them. I recommend public speaking.

Mr. Philip: With that kind of thinking, the Minister of Correctional Services (Mr. Leluk) should be made the Minister of Education.

Mr. Speaker: Order. The member for Nickel Belt has the floor, please.

Mr. Laughren: So I do, thank you.

I was thinking of the work load issue a lot because I really attach a great deal of importance to that. I do not expect everyone will have sympathy for the teaching profession. It is difficult to look at 19 hours of instruction and say that is enough. I understand that. It is difficult for people to do that.

But if one talks to teachers—everybody knows a teacher surely—about their work load, one will know that is not nearly half of the time put in on the program. That survey by the Council of Regents indicated there was a lessening of real support for the college system. The minister did not ever release that 1981 study. It would be interesting to know why she has not, and perhaps it is about time she did.

The member for Etobicoke raised the issue of efficiency in the system, showing there has been a 15 per cent increase in the average class size and a 5.5 per cent reduction in the hours in the class by students in the last five years, and a 1.6

per cent increase in the hours taught annually by full-time faculty.

9:20 p.m.

The members over there cannot have it both ways. They cannot simply add on to the work load of teachers and then, once they have added to it, say: "Now that we have added it on, we want to take off the cap." Surely that is unreasonable.

I think the minister has been unfair in this whole dispute and I think she should be asking herself how she as minister has become an issue in the dispute herself. Surely if anyone ought to have been objective and ought to have appeared to be objective, it should have been the Minister of Colleges and Universities.

Even if the minister protests and says she was objective, she would surely have to admit this has not been the public perception. The public perception has been that the minister has been an obstacle to the resolution of this dispute.

Mr. Rotenberg: That is your perception, not the public perception.

Mr. Laughren: No, I do not think that is true.

Mr. Speaker: Order.

Mr. Laughren: I do not think that is only my perception. I believe it is a widely held perception out there that the minister has been an obstacle to the resolution of this dispute. That is why people were calling for the Premier to inject himself into this dispute. But did he? No, he did not do it because the die was cast and the minister had had the bit in her teeth from the beginning.

There was never any doubt whatsoever in the minister's mind about how this dispute would be resolved. The minister never had any illusions about that at all.

Hon. Miss Stephenson: By collective bargaining. That is how it was to be resolved.

Mr. Martel: By aligning herself with the position of the Council of Regents.

Mr. Cooke: Collective bargaining is fine as long as it comes to the minister's solution.

Mr. Speaker: Never mind the interjections. The member for Nickel Belt will continue, please.

Mr. Laughren: Thank you, Mr. Speaker. I would like to conclude my remarks shortly by saying my colleagues and I are becoming increasingly concerned about how easily this government can bring in back-to-work legislation. This is in itself a bit of a camouflage in the use of words, because what the government is

really doing is taking away the right of people to withhold their labour.

I have always thought that if there is one benchmark of a civilized, democratic society it is the right of people to withhold their labour. But bit by bit by bit this government, with some relish, I feel, is taking away that right. We saw it recently take away the right of transit workers in advance of a labour dispute.

I will repeat what I said at the beginning. As long as there is only one political party in this chamber that opposes this trend of this government towards taking away the right of people to withhold their labour, then this government will see no reason not to proceed and not to continue to do it in the future.

That is why I say this, not to antagonize the official opposition, the Liberal Party of Ontario, but to ask it to think about what it is doing in automatically giving its stamp of approval to all back-to-work legislation this government brings into this assembly. I believe this is not the role of an opposition. After the next election it is quite possible that when the order around here is changed—I do not want to predict anything precisely—I hope very much that this kind of legislation will not continue to be brought in so easily and with so much relish by the government.

Mr. Bradley: Mr. Speaker, one of the virtues of this party is that one is always allowed to speak on issues.

Mr. Breaugh: Usually on both sides of any issue, too.

Mr. Speaker: Order.

Mr. Bradley: There is no problem with that on this side. We are not prevented by the whip from speaking our piece.

I want to add very briefly to the debate this evening, because the government is intent on putting forward this bill and proceeding with it. If the bill is completed this evening, of course, it advances the date on which the students can be back in the classrooms where they certainly wish to be. I want to express, however, the genuine concern we have had in the opposition for some time about the negotiations that have taken place in Ontario in this very widespread work stoppage.

Day after day, or almost on a daily basis, the Leader of the Opposition (Mr. Peterson) and others in this party rose to encourage the Minister of Education to find a negotiated solution to the dispute between the Council of Regents and the Ontario Public Service Employees Union. At no time was there any advocacy of back-to-work

legislation. I think it was our hope in the official opposition that the minister or someone else in the government would be able to assist in breaking the logjam.

In the early stages of the dispute, we were hopeful the Minister of Education would be able to be a positive and constructive force in bringing about a settlement in that she had—

Mr. Laughren: Did you really think that? Nonsense. You did not think that. Do not be silly.

Mr. Speaker: Order.

Mr. Bradley: I promise I will not say how—

Mr. Speaker: The member for St. Catharines will please address the chair.

Mr. Bradley: I promise I will not talk about David Barrett bringing in back-to-work legislation in British Columbia.

Mr. Cooke: Did he ever bring in a bill like this?

Mr. Laughren: He would not bring in a bill like this.

Mr. Speaker: Order. Turn around again, please. Now back to the bill.

Mr. Bradley: Or about Blakeney in Saskatchewan. I will not talk about legislating back the hospital workers in Saskatchewan. I promise I will not, because we know the enemy is over there.

To go back to the issue at hand, in the initial stages we were hopeful there could be some positive movement in this. That positive movement could have been forthcoming if the Minister of Education were perceived to be totally impartial in this dispute.

Mr. Laughren: You do not believe that. You are not being serious.

Mr. Speaker: Just ignore the interjections, please.

Mr. Bradley: I have the clippings. I keep them all the time. I will read from them about what happens when a New Democratic Party government is in power compared to when it is in the opposition. I will not do that, Mr. Speaker, because I know you want me to address this matter.

To continue my remarks, earlier we were hopeful the Minister of Education would be helpful in this because she had the power, I am sure, to persuade her colleagues that an injection of additional funds into the community college system, which those of us in the opposition have seen as a necessity for some time, could be forthcoming.

Indeed, in the middle of the dispute that took place, my leader suggested the Minister of Education would have sufficient funds to inject into the system. Each day the strike took place, there were salaries not being paid and the operations of the community colleges not being in effect. It was a positive suggestion that some of that money could have provided a basis for at least breaking the logjam in negotiations, if not bringing about an immediate settlement.

Initially, the Minister of Education took this as a suggestion to be considered, but the next day she started talking about buying the support of one particular segment or another. I thought it was a positive suggestion. It gave the minister the opportunity to break the logjam, but she did not seize it.

It was then obvious that only one person on that side would be able to have a positive effect on the negotiating process by virtue of the office he held. I am referring to the Premier who, I am sure, if he had decided to intervene personally—and this is a province-wide strike we are talking about—might well have had the effect of bringing the two sides together with a promise of the recognition of the problems over which the faculty has been striking for a number of days.

The legislation does not address the fundamental issue that the teachers, who are the employees in this situation, see as being the most important.

Mr. Laughren: However, you will vote for it.

Mr. Cooke: You are going to vote for it, though.

9:30 p.m.

Mr. Speaker: Order.

Mr. Bradley: It does not address the fundamental issue, just as David Barrett probably did not recognize it when he brought in back-to-work legislation in British Columbia, or Allan Blakeney in Saskatchewan.

Mr. Laughren: He would not bring in a bill like this.

Mr. Bradley: They do not want me to mention that? I am sorry. When they are trying to impress their friends, we should always bring to their attention what happens when they are in power.

Mr. Speaker: Will the member for St. Catharines please address the chair.

Mr. Bradley: How easy it is now when they are in opposition compared to when they are in power.

Mr. Speaker: Order.

Mr. Bradley: But I will not address that, Mr. Speaker.

Mr. Speaker: I would rather you address me.

Mr. Bradley: I certainly will. I will continue to address you in this matter.

Interjections.

Mr. Bradley: Those of us who are representatives of the 125 constituencies in this province have received from a good many students and parents pleas about the future. The students are afraid of losing their year. The minister should be mindful of this. We recognize the importance of the community college system in our province, and she surely recognizes this when she finally brings in this legislation. It is unfortunate that the minister and the government did not recognize this in the negotiating process.

Mr. Laughren: You talk this way and vote the other way. That is your only consistency.

Mr. Bradley: What did they serve for supper down there?

Mr. Speaker: Never mind.

Mr. Cooke: Are you going to vote on this bill or walk out?

Mr. Bradley: I will vote on this bill the same way the member for Cornwall (Mr. Samis) is going to vote.

We recognize that with the short and somewhat specialized courses, with the co-operative education courses that are offered, and with the unique circumstances facing so many students and the community college system, a prolonged strike has a detrimental effect. The total effect of the underfunding of the system has been known for some time and is an issue the Minister of Education must address. Those of us in the opposition will continue to remind her of that.

I hope the minister is serious in this legislation where it is indicated there will be some consultation. I hope we are going to talk to people such as the teachers at what I still refer to as the Mack school of nursing in St. Catharines, who are facing a work-load situation which is not conducive to the best education of their students.

I hope the minister will consult with the teachers at Welland Vale, who are involved in excellent retraining programs which are putting many people back into the work force. I hope those who are doing the consulting will consult with the those in the school of horticulture in my community or with those at the main campus of Niagara College.

I hope they will also consult with the students who will certainly confirm the circumstances facing them as to overcrowding, regular lecture

classes, labs and other activities that take place. Without a doubt, whether the minister or members of the government want to admit it or not, there is a genuine problem with many of the courses in our community colleges. This problem can be rectified only through addressing the work-load issue that has been brought to our attention through this strike.

We would have preferred that this could have been concluded through the collective bargaining process. That has not been the case. We would have hoped, if the minister was intent upon bringing in legislation, that even that legislation would address the work load issue as it has been presented in the negotiations.

The member for Renfrew North (Mr. Conway), the Colleges and Universities critic for the Liberal Party, will be proposing a very sensible amendment that the leader of the official opposition talked about in the question period. That amendment would provide for going back to the negotiating table for a period of at least 30 days to see if we could not find a solution to the work-load issue through the negotiation process. If that did not happen, then it would go, of course, to arbitration.

It is not a pleasant day in the Legislative Assembly when we debate an issue of this kind. It is not an easy issue to confront, but the blame for this situation must lie with this government. It must lie with the Minister of Education because she represents the government in this area. We are recognizing more and more that the confrontation tactics employed by the Minister of Education, representing her government, are not conducive to having the best education available in Ontario, and that, after all, is what we all seek.

I hope the government, having been faced with this critical situation, will now recognize this in its consideration of the estimates of the Ministry of Colleges and Universities and in the re-evaluation of its policies, despite the fact the federal government is not doubt going to do it in soon with transfer payments. We will find that out soon.

I hope this ministry will take the leadership and that this government will show the leadership necessary to recognize the job being done by the community college system. It is an expanding and growing system that is making our young people and those being retrained much more competitive for the competitive world in which we live. I call upon the minister to address those issues. I call upon the government of Ontario to accept a very reasonable amendment that will be

put forth by my colleague the member for Renfrew North.

Mr. McClellan: Mr. Speaker, I want to take a few minutes to participate in this debate. I cannot remember in the course of the nine years I have been here an issue on which the government has so utterly lacked credibility. I have never seen a weaker government position on a bill in the nine years I have been here since 1975. It is reflected in the fact that only one Tory has spoken, for a total of about a minute and a half.

On the issue of credibility, I want to review quickly the events of Tuesday, November 6. At two o'clock in the afternoon, the Minister of Colleges and Universities made a statement in this House, saying, "The Ontario Council of Regents said it is continuing to seek a negotiated settlement with the union representing teaching staff at the province's 22 colleges of applied arts and technology...."

At about 3:25 on the same afternoon of Tuesday, November 6, during the debate on an emergency resolution, the Minister of Colleges and Universities stated, "There is negotiation going on at the present time; there is, indeed, an offer that has been put; there is a possibility of a settlement of this strike."

Concluding that statement, she said, "I certainly hope that at the end of this day we will be able to perceive some light at the end of the tunnel and an end of this dispute so that within the very next short period of time the students will be back in the classroom."

That was at 3:30 in the afternoon, fully half an hour after the Council of Regents had walked out of the negotiations at the Royal York Hotel and were en route to Sutton Place, where they had already booked rooms for the press conference that was held at four o'clock on Tuesday, November 6. They issued a press release that obviously could not have been prepared between three and four o'clock in the afternoon. I have the press release in my hand, dated Tuesday, November 6, from the Council of Regents.

9:40 p.m.

The arrangements for that press conference were made in advance of the minister's statement in this House at 3:30 in the afternoon. I am sure that the minister is familiar with the name of Mr. Ian L. McArdle, who is the chief negotiator for the Council of Regents. I have his name on this list, which is a photocopy of the index of the government directory of ministry staff. Under the Ministry of Colleges and Universities, staff relations/benefits section, 10th floor Mowat Block, 900 Bay Street, the staff relations

co-ordinator is Mr. Ian L. McArdle. He is an employee of the Minister of Colleges and Universities and he was the chief negotiator for the Council of Regents.

He sat beside the vice-chairman, Dr. Diana Schatz, at the press conference at the Sutton Place Hotel at 4 p.m. on Tuesday, November 6, explaining how negotiations had been terminated by the Council of Regents. At 4 p.m. on Tuesday, November 6, an employee of the Ministry of Colleges and Universities announced to the world that the negotiations had broken down.

He is the chief negotiator for management and the minister is standing in this House half an hour earlier, telling us negotiations are proceeding, there is a light at the end of the tunnel and a settlement might be reached by the end of the day.

Mr. Martel: What has he been doing as a negotiator?

Mr. McClellan: We are asked to believe this. I do not believe it for a second. I am not mincing any words, I do not believe it. It is preposterous. It is totally absurd.

Hon. Miss Stephenson: You have a devious mind.

Mr. Martel: From the ministry, the chief negotiator for the Council of Regents?

Mr. McClellan: I have a devious mind?

Mr. Breagh: No, the member does not.

Mr. McClellan: No, I do not, and I also do not believe the version of events she related to this House on Tuesday, November 6. It is totally preposterous. All of the events in this dispute are preposterous and totally unbelievable.

I find it impossible to believe the cabinet of the government of this province approved a piece of legislation and a solution to a strike, the principal document being the final offer of management in the strike. I do not believe the cabinet understood for a second what trick the Minister of Colleges and Universities was pulling on them. Neither do I believe for a second the Minister of Colleges and Universities did not know the solution she proposed to her cabinet colleagues and now to this Legislature was also the final solution proposed by management in its last offer in the strike. We are expected to believe that too.

On the basis of the normal credence that is placed in the word of government and cabinet, we are somehow supposed to take this debate and this piece of legislation seriously. We are asked to—

Mr. Rotenberg: I wish the member would.

Mr. Martel: Has the member listened to anything? The chief negotiator works for her.

Mr. Rotenberg: So what?

The Acting Speaker (Mr. Cousens): Order.

Mr. Swart: It is taken for granted on the member's side of the House.

Mr. McClellan: We are asked to believe the document by the Council of Regents which showed, in effect, that the Minister of Colleges and Universities firmly supported its bargaining position somehow does not exist. We are asked to believe this document is some kind of fiction. It is not fiction. It is there. It is part of the public record.

It is a matter of public record that the Council of Regents has stated the Minister of Colleges and Universities supports its position, that she is firmly on its side. What kind of charade is the government playing here? Talk about devious. In the nine years I have been here, I have never seen such a devious charade as has characterized this strike over the course of the last three weeks.

Then we have the clownish behaviour of the member for Timiskaming (Mr. Havrot) who was quoted in the Northern Daily News as saying the Minister of Education told her caucus a negotiator for striking college teachers spat in the face of a college negotiator during negotiations between the two groups. I am quoting from the Northern Daily News, dated November 7. The member for Timiskaming first made the allegation the previous day, on November 6.

Just so we understand the allegation of the member for Timiskaming, it is an allegation that the Minister of Colleges and Universities told her caucus that a member of the union bargaining staff had spat in the face of a Council of Regents negotiator.

Nobody got up in the House and denied it, neither the member for Timiskaming nor the Minister of Colleges and Universities. It is out there on the public record, repeated twice in the newspaper. Nobody on the government side got up to say which is the correct version of events.

Did the Minister of Colleges and Universities attempt to whip up support within her caucus for the bill in front of us by telling it about a week ago that a member of the union negotiating team spat in the face of a Council of Regents negotiator? That is what little Eddie has said twice in the newspapers. Nobody has denied it. What kind of charade is taking place here?

I hope my colleagues to the right will come to their senses. There has been nothing such as this

in the record of this assembly since 1975. The whole thing is bogus.

Finally, in the utterly farcical nature of Bill 130, the principal issue in the dispute is excluded from binding arbitration altogether, most likely rendering it illegal, as my leader has said, but certainly preposterously unjust.

The government can keep Bill 130. It can keep the poisoned atmosphere that bills such as this will create for years to come. It will continue to spread its poisonous effects in precisely the same way that Bill 179 has continued to work its deadly venom in the public sector over the past two years. Is that what the government wants: the confrontation that has characterized the record of the Minister of Colleges and Universities over the years, the polarization, the rasping aggression?

She is the Saul Alinsky of the Legislature, rubbing raw the sores of discontent wherever she finds them in whatever ministry, always the same pattern, always the same process, always the same polarization, always the same confrontation. We have it again tonight.

Mr. Martel: Mr. Speaker, I do not want to take a lot of time, but as a former teacher what bothers me most is the attitude being spread amongst the public over this. I had a phone call last Friday from a woman who said, "I know there is no sense calling you because you are a former teacher and you are going to support the teachers, but they only work three and a half hours a day and they make \$40,000 a year." What a misconception. That is perpetuated by the government side over there. They fairly chortle at what they do and say about teachers over and over again. They might say it is garbage, but that is a fact.

If the minister was so factual, she would get up and deny she said in caucus what the member for Timiskaming was spreading throughout the north when he said a negotiator for the teachers spat in the face of one of the negotiators for the Board of Regents.

Hon. Miss Stephenson: I am sorry it was quoted in the media, but it is not what I said.

Mr. Martel: I am just saying what is quoted in the media. In fact, it was a member of the union from Kirkland Lake who phoned me to see whether I would raise the matter. The minister has not got up to deny it, because if she does she will make little Eddie appear to be somewhat—I was going to say somewhat out of character, but that is not really true. That puts him right in character. They took the soundtrack out of the Legislature because little Eddie went after the

Italian people. He got in trouble before when he went after the native people. Now it is the teachers. Just give him time and he will get to everyone. It is just a matter of time. It is like Elizabeth Taylor with men.

9:50 p.m.

The minister sits there. She will not go after him. As my colleague the member for Port Arthur (Mr. Foulds) said today, her silence is an indication it is correct. As my colleague who just finished speaking said, it is the whole credibility around this issue: McArdle, the chief negotiator, an arm's-length negotiation. It must have been short arm.

Mr. McClellan: Stand up and say he is not a negotiator for the Council of Regents.

Hon. Miss Stephenson: I will if the members opposite will sit down.

Mr. Martel: Let me tell members opposite Wacky Bennett does things in a more crude fashion than they do over there. I want to tell them the way they are treating the public service is every bit as foul and as bad as Bennett.

We came in this summer to force Toronto Transit Commission workers back to work three days before a federal election and 14 days before the Pope arrived. The government did not do the same in Mississauga. They did not move into Mississauga. It was great stuff though, before the Pope arrived, but that was not for political gain. No, they were forcing the workers back so the Pope's visit would be orderly. That is a lot of nonsense. They are legislating before the fact.

This minister brought that first piece of legislation in two years ago. I begged the government House leader then with respect to the teachers' strike that if it was not resolved by September, this act would take force. I warned members opposite then about that sort of legislation.

I thought they had smartened up as a government. Then they forced the TTC workers back. As I say, they are every bit as bad as Wacky Bennett, Jr., only they are a little more careful in the way they do it. They set the stage. When we fought Bill 179, we warned them that bill was going to come back to haunt us in many ways. Look at the strikes this past year. They have been primarily in the public sector.

Let me tell the minister how distorted some of the statements are. In her statement this afternoon she talked about money and wanting to go too high, exceeding the amount. She did not tell anyone there were a group of teachers who were frozen under the Bill 179 legislation. They

cannot fit back into the grid in the appropriate place and if they go into the grid, there is not enough money left for the rest of the raise. They were exceeding what was being laid out before them.

But take the doctors. My God, the government could pump in how many millions? How many millions could they get for catch-up?

Mr. McClellan: I think it was \$850 million.

Mr. Martel: They could find that, could they not? They could find \$850 million, but they can get up here this afternoon and just play around with it. They do not say what led to the demand that would create more than five per cent, that it was catch-up that would entitle those people when the bill came out, or was no longer effective, to catch up. There is no money in there for it. My goodness, doctors had to catch up, but teachers, nyet. They are an interesting group over there. The more powerful the lobby the more willingly they are prepared to capitulate.

Mr. Piché: First it was the Pope, then doctors. Who is next?

Mr. Martel: I wanted to see the Pope, just like the member. I came down. I do not know if he did.

Mr. Piché: I did not know the member had something against the Pope.

Mr. Martel: Which Pope is the member talking about? The one from his neighbourhood or—

Mr. Piché: The one.

Mr. Martel: It must be Alan, then.

What is most frustrating is I tried to find out if the minister, when she was explaining this legislation to her cabinet colleagues and her Tory caucus, bothered to tell them that the method she is going to use to resolve the work load issue, the agreement that had been put forth on the table and was rejected by the teachers, was her proposal to study. There might be a few different words.

Hon. Miss Stephenson: They are two different things.

Mr. Martel: Are they ever two different things. Maybe the minister would like to read both documents for us in full. I will sit down and she can do it. Outside of the odd word, is there really any difference in the final analysis? There is none. One might change a word here or there, but the principle is what the Council of Regents wanted and that is what it got.

That is what is totally unfair about the way the minister is trying to resolve this issue. She should have told her cabinet colleagues and her caucus

that was the case. She did not because she could not have sold it to them. Some of them might have had enough integrity to say, "No, this is not fair." It is totally unacceptable, even to some Tories, to allow the Council of Regents to get by legislation what they could not get by negotiation.

I hope by the time we come back tomorrow some of the minister's colleagues will have enough integrity to look at both documents. They might just back out on her this time, because it is not the first bill over which she has had them in hot water. I think about Bill 127. I know how many of her colleagues from Toronto wanted to dissociate themselves from her on that bill.

Hon. Miss Stephenson: Oh, do you?

Mr. Martel: Yes, I do. The member for St. Andrew-St. Patrick (Mr. Grossman), the member for Eglinton (Mr. McMurtry). My friend the Minister of Community and Social Services (Mr. Drea) says that is not the case. I want to tell him he is wrong.

Hon. Mr. Drea: I am telling you you are wrong.

Mr. Martel: No, I speak to the member's colleagues as well. I hope some of the cabinet members have enough gumption tonight to go and look at both of those documents. They are so close to being identical that someone with some integrity over there might say, "No, we will not accept it over here."

The monetary issue is really not the key issue. It is something called work. As a teacher, I know that as the number of students increases, the work load increases, and not just in the classroom. I have heard the minister, who is an expert on everything, try to convince us over here about the quality of work and the quantity of work. Some of us who come from the teaching profession know something about extra work load, which depends on the number of students in any one class.

I am not sure how one quantifies that, but to accept the Council of Regents' request and use it as the basis for doing that is totally nuts. I hope a few of the minister's colleagues will question her on it tonight before they leave this place.

Mr. Charlton: Mr. Speaker, it bothers me a great deal to have to be here this evening dealing with this piece of legislation. The bill itself bothers me a great deal, but I suppose even more than the things in this bill that bother me, the minister's attitude towards this debate is what I find most offensive about being here this evening.

Hon. Miss Stephenson: Would the members opposite let me participate at some point? If they sat down, I would be able to.

Mr. Charlton: It is about time this Minister of Colleges and Universities started to listen and to take into account the things she hears and the decisions she makes, or resigned.

Hon. Miss Stephenson: I do not need any lectures from the member.

Mr. Charlton: The minister is going to get one whether she feels she needs one or not.

I have heard a lot of talk around this place in the last two weeks about concern for the students. I think we are all concerned for the students, but some of us have extremely strange ways of expressing that concern.

I have a younger brother who is enrolled as a full-time student in the co-op program at Mohawk College. He is one of those most likely to be seriously affected by the whole fiasco of the last three weeks. The really sad part for him is that this is the second time he has been shafted by this minister and by her ministry.

10 p.m.

He started out in an apprenticeship program under the Ministry of Colleges and Universities as a mechanics apprentice. That apprenticeship is a three-year apprenticeship. Six months shy of completing that apprenticeship, he was laid off. The response of the ministry that runs the apprenticeship program was, "There is nothing we can do about it."

Three months later, the employer for whom my brother worked had hired another apprentice, a first-year apprentice. The wages are considerably lower for first-year apprentices than they are for third-year apprentices. The ministry's response? Zero. I have no doubt that the first-year apprentice who replaced my brother with that apprenticeship employer has long since gone without ever having achieved his or her apprenticeship. I do not know who it was who replaced my brother.

We have a situation in this province where the government, the minister and her ministry have screwed up just about everything they have touched in the last decade. In this situation, in this strike of community college instructors, there was only one possible avenue to a reasonable solution, and that, of course, was at the negotiating table. But in order for that negotiation to have had any hope of success, the Minister of Colleges and Universities first would have had to extract herself from the process, and second, would have had to stand up publicly and

say to the Council of Regents and to the union negotiating team, "Sit down and negotiate a reasonable settlement of the issues at dispute and this ministry will provide the funds to fund any reasonable settlement."

But that was not the response of this minister. She tried in this House to play the game of being neutral, saying to this House that her real concern was for the students. But the documentation that my colleagues have referred to—and I will not go through it all again—made it abundantly clear, at least to those of us in this party, that the role she played in that negotiation made any settlement impossible and made all her comments about her concern for the students just so much rhetoric because there was nothing else in those comments.

Last evening I went up to my parents' place and spent about 45 minutes discussing the whole situation with my brother. I have had calls from dozens of students and from a number of teachers as well, as have most of the members in this Legislature, around this regrettable situation; but I went to talk to my brother because I thought perhaps I could have a fully open and reasonable discussion with him.

I asked him about its effects on his course and his ability to complete that course. He is in a term that ends at Christmas and he is supposed to be going into a work term right after the new year. He is worried, like each and every one of the other students who have phoned us, about losing this semester.

I said to him: "The minister announced this afternoon that she would be bringing in legislation to end the strike and to legislate the teachers back to work. What are your thoughts? Do you think it is necessary? Do you think it will solve anything?"

His response to me last evening was: "If there is no solution in that legislation to the work load question or to the quality-of-education question, the legislation will solve nothing. Ultimately the students will continue to suffer and ultimately we will be likely to have to go through this again before some of us finish our courses. None of us wanted this strike and none of us want to go through this again. So no, I do not think this piece of legislation will help at all. I would rather run the risk of losing this semester to see a real solution than to see the teachers legislated back with no solution to the outstanding problems."

There are not a whole lot of students who have taken that bottom-line position. I think all of us know this because all of us have talked to a hell of a lot of them in the last three weeks.

On the other hand, I seem to recall being at a student rally a week ago today at 8:30 in the morning out in front of Mohawk College. I did not count heads, but I would guess there were 250 or 300 students at that rally. A number of angry things were said during the course of that rally. There were those among the students who wanted the teachers legislated back right away and there were those who very firmly supported the teachers' position.

There was only one thing that was universally felt by those students at that rally: that they wanted to be back in their classrooms and the reason they were not in their classrooms was the attitude of the Minister of Colleges and Universities and of her ministry in this dispute. That was very clear in the minds of all the students at that rally. Not all of them spoke, but their responses very clearly indicated that.

The teachers who are going to be legislated back by this piece of legislation will experience difficulties in their relationships with some students for the next few weeks or months and will experience very strong and very positive support from others. But the questions that remain unresolved in this dispute, questions that will remain unresolved for some considerable period of time and likely into another strike some time in the future, are issues that not only will affect each and every one of the teachers in this province on an ongoing basis in their working lives but will also affect in a continuing way the very students about whom we are hearing all the platitudes about protecting them by legislating these teachers back to work.

Yes, I suppose it is true that all the teaching situations and all the classroom situations in the community colleges in this province are not equally bad. But it is still very real that in the worst situations the students we are talking about protecting will be affected to the greatest extent and in the less bad situations the students will still continue to be adversely affected, and those adverse affects will grow as these situations go unresolved.

10:10 p.m.

I find myself in a situation where I have some sympathy with all the people who have telephoned me, regardless of the position they have taken. I do not have a lot of sympathy for some of the solutions they have suggested, because for me and for many others an apparent solution, a solution that just ends the strike and nothing else, is a solution that will not provide much of anything for our community colleges, and for the

teachers and students in our community colleges, either in the short term or the long term.

The Minister of Colleges and Universities may well feel she does not need any lectures from me. I may not be the most qualified person to lecture the minister. However, if I am not the right one to lecture her, she damned well needs a good lecture and perhaps even a spanking from somebody.

Mr. Breagh: Mr. Speaker, I want to make a few remarks this evening because most of us have had the opportunity in the last little while to be involved in some way in this labour dispute.

My first morning of the strike was not a pleasant one. A group of young people came into my office in Oshawa. They were nursing students. They told me it had been explained to them at the picket line by people who were in the administration that they either crossed a legal picket line and went back to school or they would fail. They said they had been told it did not matter whether they passed subsequent tests; they would get zero if they did not cross a legal picket line and go back to Durham College that morning.

They had no time to consider it, no time to consider what their rights were, or what the rights or wrongs of the situation were. They were told bluntly, "If you do not cross this picket line this morning, you fail; you lose your year."

These were nursing students. They know that much of the judgement in a nursing course is subjective. It depends on how well one gets along with the people who are in administration, who are on staff or who are nurses or doctors in a hospital. There are lots of occasions for young people to get a little intimidated in the process, even if they are good students.

They were somewhat beside themselves. I thought: "This is very strange. This is not Russia; this is Oshawa. People know what a legal picket line is. People know you have a right to make up your own mind about that."

I told them what I thought their legal rights were, that they did not have an obligation to cross that picket line. Far from it, in a free country they had a legal right to decide whether they would or would not honour a legal picket line.

I was a little taken aback the next day when I read in the newspaper—not in quite such stark terms, but certainly in very clear terms—that administration at the college was maintaining that position. It was softening somewhat and saying: "There are practical reasons why nursing students have to do this. They have to make career decisions."

A picket line is no place to make a career decision, particularly if one is from a community

such as Oshawa. If there is any place in Ontario where the trade union movement is understood, it is probably in a community such as that. Many of these young people come from homes where their fathers, brothers, mothers and sisters have a good chance of being on another picket line in the same community.

That is quite a conflict in which to put a young person. It is quite a conflict to say to them: "We want you to decide here, at the picket line in the morning, whether you will or will not honour the picket line. Then we expect you to go home to your family at night and explain why you walked across the picket line." That is tough stuff.

I noticed that subsequently the minister had someone in the office go down and talk to the administration at Durham College. I noticed that the hard line taken on day one was changed somewhat afterwards. However, by that time the damage had been done.

I noticed that during the course of the debate this evening there has been a little rancour around the edges, but not much bitterness. I want to tell the members that there is a whole lot of bitterness all over Ontario in the case of young people who feel they have had their careers threatened by this and in the case of teachers who thought they had a right to free collective bargaining in Ontario. I guess they read the law and thought it meant something. Now they know differently.

What they fail to understand is that this government supports free collective bargaining in Poland; they are just not too sure about whether it should be rampant in Ontario. They have established that pretty clearly and they remind us of it regularly. Two or three times a year they reinforce that concept.

One other thing I wanted to put on the record today was my disappointment with the minister. Many members will know I am a fan of the minister. She is a Tory the way I look at Tories to be; in the mould of Darcy McKeough, big, strong and tough. I wish more Tories were like that over there, that there were not so many namby-pambies slithering around the front row in their bright yellow ties. I wish they were people who would tell us exactly what the right wing is all about.

So many spend most of their time and most of the taxpayers' money in convincing the people of Ontario they are not really very right wing at all. It is only on rare occasions such as tonight that we really see what they are like, that we really see there is a pretty strong right wing over there.

On Tuesday afternoon we were sitting here and there was no problem. On Wednesday

morning there was a great panic. By Thursday the problem has become so severe that they do not even want to talk about it, they just want to legislate it.

I knew there was trouble last week. I saw my favourite minister on television coming down the hall in her wonderful manner—kind of like a tank with a tutu. She was arrested by the scrum of electronic people upstairs and they managed to stop her for a moment or two, but she gave them one of her little laser-like looks and broke the batteries in the tape recorder.

Then she did kind of a Trudeau-like pirouette into a locked door. What surprised me was that the door held. This is a minister who would not normally have a problem with a small thing like a locked door. Maybe the Berlin Wall would slow her down for a bit, but there is no lock in the free world that would keep this woman out if she really wanted in. So I knew last week there was some trouble.

On Tuesday afternoon we were once again asking for an emergency debate. I thought it was strange that this strike in particular was not worthy of a debate in the Legislature. Apparently, it is not worthy of a debate again tonight, even when they are legislating them back. They do not want to talk about it.

The minister keeps saying now that after a little while she will talk about it when she gets a chance to wind up. But we have been here for an afternoon and an evening and the sole contribution has come from the member for Wilson-Heights. That is a pretty devastating comment on the position of the government. When they are down to the point where they have to have the member for Wilson-Heights put their case, they are in tough shape over there.

I notice where the minister is even lowered to the point where she is going to have to defend what the member for Timiskaming had to say back home. That is a pretty lowly position for the minister to be in. That is pretty tough when that is the best person she can muster to put forward the government's case and when she, with some reluctance, responds only at the end of the debate. It must be tough when the member for Timiskaming is the government's representative and talks literally drivel in this instance. That is his comment on this whole issue.

The other meagre defence is put forward by the member for Wilson-Heights. If those are the heavy hitters they have defending the government's position on this bill, they are in dire trouble.

I think the member for Wilson-Heights put the government's position pretty succinctly tonight. He believes education concerns where people sit, and if they sit in the classrooms now, this strike is resolved. He probably sincerely thinks that. He thinks that will be the resolution of the issue.

It is not. Education is not about where one sits. Education is not about whether there are students in the classroom. Education is about a lot of things, but it has not a great deal to do about where they sit tomorrow morning as opposed to this morning.

The government seems to have developed the notion now that all it has to do is put out the order. On Tuesday afternoon this was not a matter that was worth discussing in the Legislature. They all stood up in their places as they normally do and said: "That is it. There is no need to talk about this. We will not even bother having a discussion about it."

10:20 p.m.

I find bizarre the sequence of events that others have laid out for Tuesday afternoon. The Speaker will not let me say who misled me in this matter, but I certainly was misled on Tuesday afternoon. It may be that when the minister spoke at 3:30 p.m., she did not know what had happened at three o'clock. It is possible she did not know what her staff was doing that afternoon. I would have to believe the minister has a great problem with competence in her ministry, but I do not believe she has. The Legislature and the people of Ontario were misled substantially on Tuesday afternoon after the bargaining had been broken off by a government that took the stance that there was no problem.

There was a lot of foolishness in the course of this strike that we should get on the record. People threatened young students with the loss of a year. Those of us who have been in education for a while know that, no matter what the circumstances, being out of a classroom for up to about six to eight weeks surely will not threaten a student's year.

I notice that once the ministry staff addressed itself to that problem it took that position as well. There will be problems in rescheduling; there is no question about that. There will be problems in extending the school day by a few hours and extending the school year somewhat. There will be young people who will pay a financial price for the diddling that has gone on in the course of all this.

The crucial things that have to be addressed are not addressed in this bill before us tonight. I do not believe the minister has even provided a

mechanism whereby they will be resolved. Whether or not one accepts that the proposed legislation is the correct way to proceed, one would have to be incredibly naive to think this legislated solution will solve very much.

What it leaves us with is the position put by the member for Wilson Heights. The legislation has the potential to get the schools open again and to get the students inside. It does not have much potential to resolve all the bitterness felt by the teachers who thought they were exercising a right most people have in a democracy. It does not resolve that.

In my view, it provides a mechanism that will not even address the major issue before us that caused the strike, the main issue of this argument. It does not do that. The government has allowed itself to fall into a mould in which it can do only two or three simple things. It all happened this week in this Legislature. At the beginning of the week, there was no problem. There was not even a problem large enough to talk about for an afternoon. Nobody would miss his year. The negotiations were proceeding amicably, we were almost told. There were new offers on the table. Either the minister did not have much of a grasp of the situation or we were given a series of statements by the ministry in various forms that were clearly wrong.

As one who has gone through two major strikes in the past month or so in my community, one at General Motors with the United Auto Workers and one with the teachers at Durham College, I can say that if one wants free collective bargaining to work, both parties must bargain. It is as simple and straightforward as that. One group cannot sit around waiting for the minister of the crown to roll in with back-to-work legislation. If both parties are free to bargain and want to bargain and if there is someone helping them bargain, the bargaining process will work. If one side simply does not want to bargain, it is not going to work.

The difficulty with the legislation before us tonight is probably not what is going to happen tomorrow morning. We know that tomorrow morning we will be back here finishing a debate on this legislation. It was rather silly of the minister and others to suggest we would open the schools again Friday morning. That would have been a particularly dangerous thing to do.

Unless the minister felt everybody in this Legislature would emulate the Liberal Party and roll over and play dead, she must have known this is supposed to be a parliament and there would be at least a debate on second reading. She

has already expressed the need to take this bill back into committee to propose some amendments of her own.

She may have been very sure of herself yesterday afternoon, but by this morning she had already discovered she wanted to add yet another amendment. It is hardly perfect legislation. There is a reason legislation is not supposed to roll through this joint in an afternoon. The minister has proved that need already. We want to take a look at how the law is written and what its ramifications are.

For her to say yesterday, as I saw her say in a television clip last night, "We will just roll this through the Legislature of Ontario tomorrow afternoon and we will open the schools Friday morning," created a pretty sticky situation. There is going to be a need for a little bit of cooling off here.

I happened to walk a picket line at Durham College with a gentleman who taught, he told me, management psychology, whatever that is. He was rather interested in the fact that he was now getting some practical experience in management psychology on a picket line. He certainly was learning a great deal. It looks a little different when one is walking around the road than it does when one is reading a book. He was getting some understanding of what that was all about, and there was a pretty high level of bitterness there.

There was not exactly a lot of smarts being exercised in terms of what might happen in a normal strike situation. These people are hardly radicals or revolutionaries. Some are in the gallery here tonight. They are not used to this idea of hitting the pavement, and it is not a very pleasant experience. Most of us have had the opportunity over the years to walk different picket lines. Some of them are our own and most of them, for members of this caucus, are picket lines for somebody else.

Mr. Martel: If they heard those Tories speak out, they would get first-hand experience as well.

Mr. Breaugh: Perhaps.

Most of us who have had the opportunity to walk picket lines with different people know that it really does not matter what your social background is, what your economics are or how tough a trade unionist you are. There is no picket line in the world that is a pleasant experience. It is pretty tough. You give up your salary, for starters, which is not a pleasant thing. You do something you normally do not do and you do not like it. You try to keep your morale up, but it is a little bit tough.

Maybe a couple of other things should be said before I conclude this evening. It is no secret that we do not have television in this Legislature. The people of Ontario, the students of the community colleges, some of whom were here earlier this afternoon, will not have an opportunity to see what this debate was all about. I think that is unfortunate.

The teachers in other parts of Ontario who could not get down to see this afternoon's debate or this evening's debate will probably not know that the government of Ontario introduced this legislation this afternoon and then nobody even bothered to give the government's position, save one lowly back-bencher later in the evening.

The minister had the opportunity. She can shake her head, give me the laser shots and put smoke out of her ears and anything she wants, but she has been around here long enough to know it is customary for a minister of the crown, on introducing a bill such as this, to begin the debate. That should not be a shock to her.

Hon. Miss Stephenson: I did. I made a statement this afternoon.

Mr. Breaugh: Oh, sure she made a statement. We understand that fairly well. A lot of us have been sitting around here for a number of years now too and we know it is customary for a minister to begin the debate on second reading, to make a statement usually earlier in the afternoon. What is a little unusual is that one does not normally introduce a piece of legislation on the same day as one begins the debate on it.

People around Ontario will not know that a big, silent, blank Tory caucus sat over there and said nothing all afternoon and all evening. Only one fool was anxious enough to get into the debate; that is all. Nobody put the position.

This Legislature is such a great inconvenience to the minister. She certainly does not want to enter into debate on a subject like this. On two occasions the government has stood in its place and said, "You do not need an emergency debate about this strike." Now we have the legislation to end the strike, and the minister still does not want to debate it.

Hon. Miss Stephenson: Yes, I do.

Mr. Breaugh: Let me address the minister, who seems to be getting a little upset with me. I believe there is an obligation on the part of the government—that is, all those in the cabinet and certainly one or two of the ordinary members on that side—to participate in this kind of debate. I am prodding the minister somewhat that she has not begun the process, but I certainly would not be satisfied with having the minister make her

great announcement in here and having nothing else said on the government side, but that is what has happened.

I believe that is a tragedy. I believe that tragedy will be compounded even further when this legislation is dealt with, probably some time tomorrow. To believe this strike is ended and that bitterness is resolved by passing this kind of legislation is folly in the extreme. The government should understand that the bitterness will continue, that it has not provided the mechanism that will resolve this argument and that it is now going to have to deal with it in some other way.

The government has scuttled the free collective bargaining process and put in place something that is quite wrong, will compound that problem and certainly is not worthy of the support of members of this Legislature.

On motion by Mr. Swart, the debate was adjourned.

BUSINESS OF THE HOUSE

Hon. Mr. Wells: Mr. Speaker, I would like to indicate the business of the House for the

remainder of this week and next week. Tomorrow we will continue debate on this piece of legislation.

On Monday the House will not sit. On Tuesday, November 13, in the afternoon, we will deal with the no-confidence motion standing in Orders and Notices in the name of the member for York South (Mr. Rae), with a division at 5:50 p.m. In the evening, we will deal with second reading of Bill 82. On Wednesday, November 14, the usual three committees have permission to sit.

On Thursday, November 15, in the afternoon, there are private members' ballot items in the names of High Park-Swansea (Mr. Shymko) and the member for St. Catharines (Mr. Bradley). In the evening, we will continue second reading of Bill 93, with the likelihood of a division later in the evening. On Friday, November 16, we will consider the estimates of the Deputy Premier (Mr. Welch).

The House adjourned at 10:30 p.m.

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LEGISLATIVE ASSEMBLY OF ONTARIO

Friday, November 9, 1984

The House met at 10 a.m.

Prayers.

VISITOR

Mr. Speaker: Before proceeding with the business of the House, I would ask all honourable members to join with me in welcoming Mr. David Martin, a member of the House of Keys of the Isle of Man, who is visiting with us in the Speaker's gallery today.

LEGISLATIVE PAGES

Mr. Speaker: I would like to draw attention to the fact that this is the last day for the first group of pages of the fall session of the 32nd Parliament, 1984. They would like to extend a special thank-you to all the people with whom they have worked in their daily duties. They would especially like to thank Ms. Niezen, the page mistress, the attendants and Mr. Turner. Thank you all for your time and help.

ORAL QUESTIONS

GASOLINE PRICES

Mr. Conway: Mr. Speaker, my first question, in the absence of the Minister of Energy (Mr. Andrewes), the Treasurer (Mr. Grossman) and the Premier (Mr. Davis), will be to the former Minister of Energy, now Deputy Premier, who will remember the vigour with which the Davis government attacked earlier moves by Conservative governments in Ottawa to move this province and this country to the world price for oil. So passionate was the Davis government in resisting any move to the world oil price four or five years ago that the Conservative government in Ontario was quite prepared to torpedo HMS Joe Clark.

In the light of that past record, can the Deputy Premier rise in his place today and indicate what particular measures the Ontario government is now going to take to fight, and fight passionately, against the public policy announced last night by the Honourable Michael Wilson that the new Conservative government of Canada is going to return to Joe Clark's energy policy and try to move, and in fact will now be moving, Canadian energy policy towards the world price?

Hon. Mr. Welch: Mr. Speaker, I am sure my colleague the Minister of Energy, after he has had an opportunity to review all the implications of the statement to which the member made reference, will be commenting on this in due course.

Mr. Conway: I cannot believe what I have just heard. This government, as the entire province and country knows, has passionately resisted any policy of world price in this country.

Mr. Speaker: Question, please.

Mr. Conway: I ask the Deputy Premier, a former Minister of Energy, is the Davis government going to move today and tomorrow to fight passionately against the stated government-of-Canada policy that we must and shall move to the world price, at a cost to the Ontario consuming public of tens of millions of dollars and, as the government knows, of hundreds of thousands of jobs or so, as argued as recently as September?

Hon. Mr. Welch: Knowing how anxious the member is to have a full statement on this matter, now the Minister of Energy has taken his seat, perhaps we could refer that supplementary question to the minister.

Hon. Mr. Andrewes: Mr. Speaker, I think it is important for all members to realize that what the federal government has done is to increase the petroleum compensation charge to stem a deficit situation in that fund. I think the members understand what the petroleum compensation charge is all about.

I want to quote to the member the words of Mr. Wilson because they are important. He said, "The government believes that the time has come to let the price of oil be determined by the marketplace." He did not mention world prices in that statement. He said it is time for the price of oil to be determined by the marketplace.

Now we can see that the message of our efforts on behalf of the people of this province is getting through in discussions on questions of natural gas and on questions relating to the petrochemical industry, all of them centred on the question of market sensitivity.

Mr. Foulds: Mr. Speaker, does the minister realize that the moves made by his federal treasurer and Finance spokesman will suck at

least \$500 million out of the pockets of Ontario's consumers and cost 60,000 jobs, according to the former Treasurer of this province when he was fighting Joe Clark?

What steps will he, as Minister of Energy in this province, take with his colleagues to protect the consumers of Ontario and to protect jobs in this province from this move?

Hon. Mr. Andrewes: Might I remind the member for Port Arthur, Mr. Speaker, that he is Canada's Finance minister.

I have already explained the whole question of market sensitivity, and the value of that statement and philosophy to the people of this province. We have a case to make to Ottawa on the question of market sensitivity. We have a case to make with respect to natural gas and with respect to the petrochemical industry. In the spirit of discussion and co-operation with the federal government, we will continue to make that case.

Mr. Conway: The Minister of Energy knows only too well the negative impact this energy price hike will have on the people in the industries of Ontario. He argued that very case three or four months ago before the Senate standing committee on energy and natural resources. He need only read his brief of last June.

Mr. Speaker: Question, please.

Mr. Conway: I ask the Minister of Energy, who knows only too well the great pain his kissing cousins from Ottawa have now visited upon our residents of Ontario, is the Minister of Energy—

Mr. Van Horne: Going to kiss them to death.

Mr. Speaker: Order. The member for Renfrew North has the floor.

10:10 a.m.

Mr. Conway: My final supplementary question to the Minister of Energy is this: As the Minister of Energy knows, by virtue of its ad valorem tax on gasoline, Ontario profits unavoidably from any increase in the price of oil.

Is the Minister of Energy prepared to stand in his place today, in the light of the remarkable anti-Ontario posture of Michael Wilson last night, to give an undertaking in this House that he and his government will reduce the Ontario ad valorem tax on gasoline by a corresponding amount, thereby alleviating the very unhappy burden placed on the people in the industries of Ontario by the federal Conservative Minister of Finance, Mr. Michael Wilson?

Hon. Mr. Andrewes: The member speaks of pain. I can only remind him it was a haemorrhage

in the petroleum compensation charge fund that resulted in this tax measure the federal government has taken. It is a haemorrhage that is the result of inaction by a Liberal government in Ottawa some six to eight months ago.

I understand the Treasurer will be here shortly and he will deal with the specific question of the ad valorem tax.

Mr. Conway: Mr. Speaker, there is no help from this minister or this government for the people in the industries of Ontario who have been hammered by a policy against which they fought so hard.

Mr. Speaker: Question, please.

Mr. Conway: Oh, how we remember an energy policy for Ontario and how Joe Clark remembers.

Mr. Speaker: Question, please.

PENSION REFORM

Mr. Conway: Mr. Speaker, among other items last evening, Mr. Michael Wilson indicated he would initiate a review of a policy that has been in place in Ottawa whereby retired cabinet ministers, members of Parliament and civil servants can and do draw their very generous pensions and full-time-equivalent public sector salaries to boot. It is the so-called principle of double-dipping.

According to his statement last night, Mr. Michael Wilson is going to investigate to see whether changes might be made. Of course, we think the changes should be made there in Ottawa and here in Ontario.

Mr. Speaker: Question now, please.

Mr. Conway: I am wondering whether the Deputy Premier, on behalf of his government, is prepared to give the overburdened taxpayers of Ontario a commitment that this government will initiate a review of the so-called double-dipping that allows people such as the Treasurer's father, Mr. Allan Grossman, to draw a \$63,000 patronage job and a \$37,000 retired cabinet minister's salary.

Mr. Speaker: Order.

Mr. Conway: Is the Deputy Premier going to undertake a review of that kind of double-dipping policy that is clearly not in the public interest in these very tough economic times?

Mr. Ruston: All in the family.

Mr. Speaker: Order.

Hon. Mr. Welch: Mr. Speaker, in response to the second question of the deputy leader of the opposition, I know of no plans for a similar

review in this administration. I would think there are certain basic elements of fairness and justice that one should not lose sight of even in such a review. We are not known as a government that changes the rules on people retroactively.

People who make contributions to pension plans are entitled to the benefits of those plans. I would feel any federal review would take that into account with respect to the whole question of entitlement. I think the short answer is I do not know of any review going on here at the moment.

Mr. Martel: What about the contract last night? Boy, do they ever change. What baloney. The rules were changed right in the middle of the strike.

Mr. Speaker: Order. Do not come back to me and complain about the time of question period being wasted.

Mr. Martel: He gets up and distorts the facts. He just said they do not change the rules in the middle of the game. What did the government do yesterday? It changed the rules in the middle of the game.

Mr. Speaker: It is your question period and 13 minutes have gone by.

An hon. member: It was well worth it though.

Mr. Speaker: Whatever you think.

Mr. Conway: In the light of the very serious economic situation in which governments find themselves—and we heard a lot about that last night—and in the light of the fact that this government has argued very vigorously for a fair restraint policy in the public sector, can the minister tell me why there would not be a review of this double-dipping practice?

Why is it that the hospital workers at Sensenbrenner Hospital have to live with less while people who have served well here, who draw a significant pension to which they are entitled, at the same time are entitled to a \$63,000 to \$65,000 public service salary? Why would there not be a review of that when it seems to thousands of taxpayers that it is an over-generous compensation of some people at the very considerable cost to the consolidated revenue fund?

Hon. Mr. Welch: I remind my friend, for whom I have a very high regard, and I take into account his sincerity in asking such an important question, that the question had to do with review. My answer is that I know of no plans to have such a review here.

I would remind him, however, in expanding my response to his original question, that the public service in its widest definition includes

members of the teaching profession who are also members of this House. We also have members who have served in police and fire departments and all sorts of public responsibilities, who have made their contributions according to the rules of pension plans and therefore have a certain entitlement.

To turn the question around, one wonders why the member would want to discriminate against them so that, as members of the teaching profession or other public services drawing a pension, they would not be entitled to have access to jobs of public service here. All I am pointing out to the member is that even a review in Ottawa would have to take into account the basic entitlement of people who in good faith made contributions to pension plans according to the rules at that time. Does the member want to reach back and change that?

Mr. Rae: Mr. Speaker, I cannot help noting, if there is any unfairness to the Sensenbrenner workers and there certainly has been, that the Liberal Party, to a person, voted for that bill and they voted for that unfairness to the Sensenbrenner workers. Let the record show that once again.

Interjections.

Mr. Speaker: Question, please.

Interjections.

Mr. Speaker: Order. Will the member for St. Catharines (Mr. Bradley) please turn around. Thank you. Now the member for York South (Mr. Rae) is going to ask a nonprovocative question.

Mr. Rae: I want to apologize for striking a nerve. I should not have done it and I apologize for that.

In all seriousness, without doing anything that would be retroactively unfair, does the Deputy Premier not think there is a public perception that if someone has served in the House of Commons or the Legislature of Ontario for a period of time and then is receiving a pension, it is at least open to question whether that full pension should be paid while at the same time that person is receiving a substantial salary from another public sector appointment, whether at the provincial or the federal level?

10:20 a.m.

Does the Deputy Premier not think there is at least a perception that this is an unfairness and something we could do something about without being unfair or discriminatory? Could we not at least look at that basic principle, so people at the federal level do not receive \$80,000, \$100,000

or \$120,000 in some instances, when their salaries are only \$65,000 or \$70,000?

There is an element of proof in what Mr. Wilson has pointed to. Many of us have pointed to it for some time. Does the Deputy Premier think we should at least have a look at it at this level?

Hon. Mr. Welch: Mr. Speaker, perhaps we could approach it in two ways. In the first case, the leader of the third party is now coming forward with a more restrictive definition of "public service." If that is his case, I invite people to say how we could justify being restrictive. We are talking about people who are making contributions to a pension plan under legislation passed by this Legislature or plans that are in force to which people make contributions and have some entitlement. That applies to the point I was attempting to make in responding to the other two questions.

As I understand Mr. Wilson's statement last night, this will be a House committee. We will have the benefit of that study, and perhaps that would be the time to reflect upon the need for review, with the benefit of the recommendations or the outcome of the deliberations of that committee.

Mr. Conway: Surely the Deputy Premier can show more leadership on this very important question of public policy and a matter about which the public is increasingly concerned. Surely he would agree with me that it is obscene for any of us or—

Mr. Speaker: Question, please.

Mr. Conway: —any of our predecessors, irrespective of party, to leave this place and, from the one and same consolidated revenue fund, take a member's or minister's pension and a full-time public service salary. Surely the minister would agree with me that he could show some leadership today.

Surely he will want to rise in his place and give us this undertaking that he, as a matter of leadership, will stand in his place today and undertake to initiate that review in the public interest, because he and the rest of the province must now agree with me that this double-dipping policy must come to an end if we are going to have any credibility in getting this economy moving again.

Hon. Mr. Welch: If there is one thing we can agree on, it would be that the general principle of fairness would be embraced by the people of Ontario. People who make their contributions to plans according to the rules and regulations are

therefore entitled to receive the benefits of those contributions.

The next question is, are they not entitled to be paid for the services they render in some other types of activity, whether they are taking a pension from the teachers' superannuation fund, pension plans for municipal employees or those of Legislative Assembly members?

One must think in terms of the length and amount of contributions. The people of Ontario are basically fair. We will have the benefit of a public review on this matter of whether or not a certain group of people should be discriminated against. That is the question. It is basic fairness. We will have an opportunity to review it after we see the report.

Mr. Bradley: The rules apply to everybody.

Mr. Speaker: Order.

GASOLINE PRICES

Mr. Rae: Mr. Speaker, I have a question of the Treasurer arising out of the economic statement made by Mr. Wilson last night. It seems "jobs, jobs, jobs" has now been replaced by "hikes, hikes, hikes" in gas prices. As it relates to Ontario, I am sure the minister is aware of one of the impacts of the price increases announced last night by Mr. Wilson. We calculate there will be a windfall of somewhere between \$60 million and \$70 million to the Treasury of Ontario because of the nature of the ad valorem tax.

Does he think it is fair that, in addition to being nailed by the federal government and the oil companies, the average motorist, car driver or truck driver, of this province should be paying \$60 million or \$70 million in ransom money to the government of Ontario for the increase that was imposed by Ottawa?

Hon. Mr. Grossman: Mr. Speaker, first, when one looks at the success this government has had in a variety of areas, particularly economic growth, I do not consider any of the moneys paid to the consolidated revenue fund of this province to be ransom money. It is unfair to the taxpayers and unfair to those who benefit from those moneys being available through the consolidated revenue fund.

Second, the survey which is done for the adjustments that are subsequently made quarterly will be undertaken at its normal time over the next 30 or 40 days. Somewhere in that time frame we will determine whether all or a portion of this increase will be or has been passed through to consumers. It is only then that we will be able to assess whether our ad valorem tax will have an

impact and what kind of impact it will have. The time has not yet arrived for us to make a decision on that situation.

Mr. Rae: I cannot help but notice—and I am sure everyone notices—the stark contrast between what the Treasurer has said today about this move by the Tory government in Ottawa and what his predecessor said. The latter said it was going to cost 60,000 jobs and was going to be a major change.

Mr. Speaker: Question, please.

Mr. Rae: What explanation does the Treasurer have? Why has the lion suddenly become a lamb on this question of the effect on the Ontario economy of moving to world price? Why has the Treasurer now pulled all his punches and said absolutely nothing to protect the consumers and industry in this province from the impact this kind of price increase is going to have?

Hon. Mr. Grossman: For one thing, I think we should not pretend that an increase in oil prices will not have some sort of impact on our economy. It will. I am sure my colleague pointed out before I got here this morning that this change will bring benefits on the natural gas side. The change spoken of previously did refer to the possibility of deregulation on the natural gas side, but these benefits were previously not available under the earlier discussions, which dealt with oil price increases alone. As we move towards market on both fuel prices there are offsetting benefits for Ontario on the natural gas front.

It is also very important that we keep in mind the context in which these changes have been brought into place. I do not pretend there will not be negative impacts from the oil increase. There will be. But one must look at the whole new atmosphere that has been created, the money that is being saved and the new investment climate in this province. I believe that, taken as a whole, the entire package will do far more to create jobs, growth and employment in this country than anything we have seen out of Ottawa in many years.

That is a remarkable difference. The leader of the third party may disagree with that. However, if he is asking why this increase is different from others, it is because it is part of a well-co-ordinated, well-thought-out, well-planned strategy and it is, by and large, a healthy strategy.

Mr. Conway: Mr. Speaker, has the Treasurer had the opportunity to review the testimony of the Minister of Energy (Mr. Andrewes), who appeared before the standing Senate committee

on energy and natural resources this past June? His colleague argued that oil and gas price increases would have an adverse effect on the province in terms of trade and overall economic performance. Later he noted that the result is a drop in provincial output and employment.

Does the Treasurer share the Minister of Energy's very worrisome concern about the negative impacts of increased energy prices to the province and the economy of Ontario? What specific undertaking is the Treasurer prepared to give the people of Ontario today that he will now go to Ottawa and fight like the dickens to resist this very wrongheaded policy that takes this province and this country towards the world price for oil? It was so strongly resisted five years ago it was worth the defeat of the Clark government.

10:30 p.m.

Hon. Mr. Grossman: Mr. Speaker, I am joining the finance ministers in Ottawa this evening to review the statement Mr. Wilson brought out yesterday. I will tell members the circumstance we all face. It is that the new government is trying to rebuild a barn that the previous federal government burned down entirely.

If the member for Renfrew North (Mr. Conway) wants to suggest we should go to Ottawa and say, in a piecemeal way, "We will take one of those, one of those and one of those," then I want to assure him I will be drawing forcefully to the federal minister's attention those parts of this important new strategy that could adversely affect the people of Ontario.

I agree with the comments of my colleague. As I said a moment ago, he is right that an increase in oil prices will adversely affect the Ontario economy. But on balance, this country has been begging for many years for the kind of new investment direction, new thrust and governmental responsibility we are only now beginning to see.

If I have one important message to bring, it is that the public is very glad it is not going to see more of the kind of economic policy followed by that gentleman I saw the member introduce all over eastern Ontario in the last election and the election before, the Trudeau-Turner-Conway team from eastern Ontario. I suggest the public really wants the Mulroney-Wilson team and its policies in toto, in contrast to the Turner-Trudeau policies.

Mr. Rae: It is now clear that, in the name of its ideological commitment to the Mulroney Conservative Party, this government is now prepared to sacrifice the jobs and interests of the

people of this province on the altar of its commitment to Tory ideology. That is exactly what we have seen. That is what we are seeing today.

Mr. Speaker: Question, please.

Mr. Rae: Would the Treasurer explain to us what position he is going to be taking at this meeting of ministers of finance? Is he simply going to be saying, "We think what you are doing is wonderful—the cuts in investment and jobs in this province and across the country and the hikes in energy price increases"? Or is he going to fight for the people of this province, for jobs in this province and for the concerns of the people of Ontario, to cut through some of the baloney that surrounds this so-called new atmosphere that is taking advantage of the people of this province and not giving them their due share?

Mr. Conway: Bill Davis, where are you now?

Hon. Mr. Grossman: He is receiving thanks from thousands of Ontarians for helping to elect Brian Mulroney Prime Minister of this country.

Interjections.

Mr. Speaker: Order, please. Now just a minute. I do not know what happened to the Liberal side. They are very vociferous this morning.

Mr. Conway: Mr. Speaker, on a point of order—

Mr. Speaker: Oh no, no. Order—

Mr. Conway: I will tell you what happened on this side. We see hypocrisy across the way. Five years ago they were going to fight to the bitter end—"No world oil price for Canada"—and now, like kittens lying in a bay window, they roll over and wait for Michael Wilson to tickle. That is what we see.

Mr. Speaker: Order, please. That will be your last outburst. I caution you, it will not be tolerated any more.

The member for York South.

Mr. Rae: Mr. Speaker, I have a new question—

Hon. Mr. Grossman: No. On a point of order—

Mr. Speaker: I am sorry. The minister has not answered the member's previous question.

Hon. Mr. Grossman: Yes, that is correct.

Mr. Rae: I thought he had.

Mr. Speaker: No. Order.

Mr. Rae: I thought silence implied consent, Mr. Speaker. I assumed he agreed with the question.

Mr. Speaker: No, no. I made it quite clear I would come back to him.

Hon. Mr. Grossman: Our friend from Renfrew North was expiating his most recent millstone. That is what caused the confusion.

When the leader of the New Democratic Party suggests we should go down and fight what happened in Ottawa, I want to make a couple of serious points. They had some important things in that budget statement that I have to endorse. They talked about selling government land, something this government started to do last May. They talked about reducing direct operating expenditures, something this government started to do last May. They talked about incentives for business growth, something this government has been doing for many years.

If we operate on the premise that government spending and government investment is the way to recover, I remind the honourable member that would be inconsistent with many of the things he himself has been saying about jobs having to be created by small business and in the private sector. I could read many of those things back to him.

That is why I endorse so many of those things and, as testimony to how successful they are going to be, I want to remind him that the new unemployment figures came out this morning. In all of Canada, 32,000 jobs were created last year and 29,000 of them were created in Ontario. I also want to remind him that, while the national unemployment rate remains over 11 per cent, Ontario's unemployment rate has dropped to 8.9 per cent. We will this year clearly create even more jobs than we predicted in our budget last May. That is the record of this government. That is why we endorse some of those steps.

Mr. Riddell: I am going to tell you that six members of one family—

Mr. Speaker: Order.

Hon. Mr. Grossman: Stand up and ask it. Have some courage. Ask it any time.

Mr. Speaker: Order.

Mr. Riddell: I will ask it any time.

Hon. Mr. Grossman: I will wait here for the next question.

Mr. Riddell: That is one family. How many other families are in the same boat?

Mr. Speaker: Order. The member for Huron-Middlesex (Mr. Riddell) will please—

Mr. Martel: What about the Treasurer?

Mr. McClellan: Why not tell them both to shut up?

Mr. Martel: You have the strangest sense, Mr. Speaker. I watch every day. Maybe you are deaf in your right ear.

Mr. Speaker: Let me remind the member for Sudbury East (Mr. Martel), in his rather selective vision and his rather selective hearing, that I did call the Treasurer to order before I addressed the member for Huron-Middlesex.

Mr. Martel: I did not hear you warn him. You have now warned two members on this side.

Mr. Speaker: I have indeed. The member for York South.

MORGENTALER TRIAL

Mr. Rae: Mr. Speaker, I have a question for the Minister of Health. It concerns the decision yesterday by the jury in the Morgentaler-Smoling-Scott case.

Mr. Pollock: Break the law.

Mr. Kolyn: Abortion on demand.

Mr. Rae: Perhaps I could ask it without the catcalls from the other side that we seem to be hearing.

Do the ministry and the government intend to respond to this decision, which I remind the minister is now the fourth decision by a jury with respect to the question of abortion and abortion clinics, and finally recognize that there is a problem of access, a problem that faces many women in this province, and it is a problem the government cannot go on ignoring? Is it the government's intention to respond to that trial by taking measures to ensure access to a service to which many women obviously feel they have a right to have access?

Hon. Mr. Norton: Mr. Speaker, obviously I do not have the benefit of any reasons for the decision rendered yesterday by the jury in that case. As is customary, the jury does not give reasons for its decision. I do not know what that verdict might have been based on. It is not my opinion, as Minister of Health, that it could possibly have been based on matters relating to access, given the location of that clinic in this city.

10:40 a.m.

Mr. Rae: If I may say so, I think that answer betrays a lack of understanding as to what has been going on in this country, and in Quebec and Ontario, for the last 15 years. I am really quite surprised by that answer. It is now the fourth time a jury has felt it was not prepared to convict, send to prison or find guilty doctors who were providing a service in a clinic that other doctors were providing and performing in a hospital.

Does the minister not feel this decision by the jury to acquit now puts the ball very clearly in the government's court in the sense of its having to respond in an overall way to what is clearly a practical and very real problem? There was significant evidence with respect to problems of access. If the minister did not see it or hear it, he was not paying attention to the evidence that was put before that jury.

Is the government going to keep on sticking its head in the sand and pretending there is nothing going on out there, or is it going to respond in a practical, realistic way to what is obviously a practical problem facing many women in this province?

Hon. Mr. Norton: First of all, it would be unwise, I should think, to talk about responding at this point to a decision in the court, when in the first instance I do not know yet what the intentions of the Attorney General (Mr. McMurtry) or his staff might be with respect to that particular decision. I would, of course, have to be guided by the advice of the law officers of the crown before there would be any decision, I am sure, on my part or on the part of the government with respect to any response to that decision.

Mr. Sweeney: Mr. Speaker, given that one quarter of all the abortions in Canada are performed in the city of Toronto and that for three years running there were more abortions than live births in Toronto, are the minister and his government prepared to continue to obey the law of Canada? Is the minister prepared to ensure that abortions in Toronto and in Ontario are done for health reasons only and are done in an accredited hospital?

Hon. Mr. Norton: Mr. Speaker, obviously there would never be any intention on the part of this government to do other than to abide by the law of Canada. I am not in a position to make any judgement on the reasons that may or may not be given or relied upon by abortion committees in determining whether an abortion is justified in any given case. However, I would like to assure the honourable member that there is no matter before us in our society that I find more deeply troubling and disturbing morally than this issue.

Mr. Rae: The minister has no monopoly on being troubled by this issue. Everybody who thinks about it is troubled by the issue. The reality, though, is that four times in the last 13 or 14 years, three times in Quebec and now in Toronto a jury has acquitted doctors who were performing safe, medically sound abortions in the first trimester of pregnancy in a clinic rather than in a hospital. Surely that decision in itself

poses a practical question. What, in realistic, practical terms, is the law today?

It is a question that had to be faced by governments in Quebec, a Liberal government and a Parti québécois government, regardless of political affiliation. The minister is faced with a practical problem.

Mr. Speaker: Question, please.

Mr. Rae: I go back to my question. Will the minister at least agree to review the evidence that was put before the court, not on the grounds on which the Attorney General was looking at it, but from the standpoint of his responsibilities as the Minister of Health, and determine whether or not there is a problem of access when more than half the hospitals in Ontario do not have therapeutic abortion committees? Will he at least review the evidence in order to respond in a realistic way to what is a real social problem in our society?

Hon. Mr. Norton: Mr. Speaker, I stand by my earlier answer. Any decision concerning a response will be taken in consultation with my colleagues, particularly the Attorney General.

DEMOLITION CONTROL

Mr. Peterson: Mr. Speaker, in the absence of the Attorney General (Mr. McMurtry), with whom I have had a number of discussions about the Toronto demolition issue, I would like to ask my question to the House leader, assuming he is informed about the matter of demolition permits.

He will be aware that yesterday we discussed the issue with the Attorney General and we asked for immediate passage of an amendment to the City of Toronto Act that would save the buildings on Eglinton Avenue. May I ask him if he is informed about this issue?

Hon. Mr. Wells: No, I am not.

Mr. Peterson: Presumably, someone there is informed about this issue. It is an emergency, and I will take the House leader's advice on whom to direct this question to. I have just come from the Toronto council chambers where the following motion was passed:

"Advise the provincial government that city council supports the acquisition of these buildings by Co-operative Housing Federation of Toronto Inc., acting on behalf of the United Jewish Seniors, as do the Honourable Barbara McDougall and the Honourable Roy McMurtry."

The Attorney General said in the House yesterday he did not know what the city of Toronto wanted to do with those buildings. I say advisedly that he was misinformed or his memory was failing him or he was misleading

this House. I have a letter under his own hand, dated December 8, 1983, addressed to the Honourable Romeo LeBlanc wherein he says:

"As you may be aware, the Co-operative Housing Federation of Toronto Inc. has put forward a proposal that would result in the preservation of the three existing buildings at 790, 800 and 840 Eglinton Avenue West." In other words, he knew. He said yesterday he did not know and was still waiting for direction from the city. Now that direction is provided again today.

I am asking the House leader, given the fact that the council this morning did not have a quorum with respect to the issue of the issuance of the demolition permit, and we now have another couple of days, will he agree to speedy passage today of the amendment that would save those buildings? I cannot speak on behalf of the New Democratic Party, but I suspect it would agree to immediate passage in this session today. The minister has the amendment. It has been drafted. Will he agree to that now to save those buildings?

Hon. Mr. Wells: Mr. Speaker, first I should remind my friend that before we would agree to speedy passage of anything, we have a situation that is even more of an emergency with a bill here which requires speedy passage before anything else is considered. He would agree that first and foremost there are a number of students—in the hundreds of thousands—in this province who are not going to community colleges and will not be until the passage of Bill 130 is completed.

That is the first priority of this Legislature today and that will be the first order of business that is called. All I can say to my friend is, I will be happy to pass along to the Attorney General and to the Minister of Municipal Affairs and Housing (Mr. Bennett) his question, the concerns he has raised and the matters and opinions of the city of Toronto. I know they have talked, discussed and studied this problem at great length and will present some answer.

Mr. Peterson: The city will be in court right at this moment on a contempt charge because there was not a quorum to issue that permit. That is the situation we face now. The fines could mount. The city council used this procedural device to gain some time.

Recognizing time is of the essence, we are at the 11th hour, we are at the very last moment. We should have done this yesterday. What I am suggesting is quite compatible with what we are already doing in this House. Both of those aims can be accomplished today. What can I do to

impress the urgency of this situation on the minister? We are going to lose those buildings.

That permit could well be issued on Monday or Tuesday. The properties could fall under the wrecker's ball, and 120 days from now those buildings will be gone, throwing 200 seniors on to the street. It has to be addressed today. It was not addressed yesterday. The government has had lots of time. The Attorney General has been aware of this, even though he denies it or his memory is faulty or he is going senile.

I am asking the House leader, as a semi-reasonable man with Intergovernmental Affairs responsibility, to apply his mind to the question now, not 10 minutes from now, and bring forward that legislation. I guarantee our co-operation in order to pass that today. Would the minister do that?

10:50 a.m.

Hon. Mr. Wells: Perhaps at another time my friend can define the term "semi-reasonable."

The problem this matter concerns is in the riding of my colleague the Attorney General, who is a first-class, excellent member as far as representing his riding goes. I would not give any assurances of anything until I have had a chance to talk to the member for that riding and find out exactly what he would recommend that this government do in a particular situation. I am sure that is exactly what my friend, who I will say is not a semi-reasonable person but a reasonable person, would expect to be done.

Mr. McClellan: Mr. Speaker, I am increasingly pessimistic that the property rights of Mr. Axelrod are simply going to prevail over the right to security of tenure of the residents of those buildings and that these buildings are going to be torn down.

In order to prevent that from happening—and he has only a relatively few hours left—will the government House leader convene a meeting of some of his cabinet colleagues, including the Attorney General and the Minister of Municipal Affairs and Housing, to look at the options?

Interjections.

Mr. Speaker: Order. Will the Minister of Revenue (Mr. Gregory) please desist?

Mr. McClellan: I ask the government House leader, if he will pay attention, whether he will consider passing the amendment to the City of Toronto Act. If he is not willing to do that, the cabinet can go into session this afternoon and approve the two bylaws that have been requested by the city of Toronto, the depth bylaw and the minimum unit density bylaw, either of which

would empower the city to refuse to issue the demolition permit. Why does he not take that action? Is it simply the reality that these buildings are going to be torn down in about 120 days?

Hon. Mr. Wells: Mr. Speaker, all I can do is reiterate what I said a few minutes ago. I will be happy to bring the member's concerns to the attention of the Attorney General and other members of the government. At the appropriate time they will indicate what the position of the government is on this matter.

CONDOMINIUM TAXES

Mr. Philip: Mr. Speaker, I have a question of the Minister of Revenue. The minister will recall that on January 6 he wrote a letter to me stating he did not disagree with the 12 pages of research I tabled on November 1, which showed condominiums have been overtaxed, but that he could not make any adjustments at that time because the matter was before the courts.

Now that we have a court ruling in Mississauga, his own riding area, that Mississauga will have to return some \$5 million to condominium owners who have been overcharged, is the minister prepared to respect that court decision and amend the Assessment Act to authorize a systematic reassessment of condominiums across this province?

Hon. Mr. Gregory: Mr. Speaker, as the member well knows, there was a court decision on a point of law, and the situation now is that all the condominium cases in Mississauga that have been appealed will be heard before the Ontario Municipal Board.

Mr. Philip: On that very matter the minister should be aware that the number of outstanding condominium appeals is now 51,221. It will be a beautiful bureaucratic nightmare to deal with all those.

Mr. Speaker: Question, please.

Mr. Philip: The minister will also be aware that the total assessed value under appeal is \$1.44 billion and that if the assessments of these properties were updated to reflect present market value, condominiums in the city of Mississauga would pay approximately \$4.4 million less in annual property taxes.

Mr. Speaker: Question, please.

Mr. Philip: Is it not his role, as a minister who sat by and allowed this inequity to go on over the years, to cut through the bureaucracy, not to force these people to go through the 51,000 appeals in this city and to protect the condominium owners in his own riding, even if he does

not want to protect those who have been overcharged across the province?

Hon. Mr. Gregory: The appeals are launched with the Ontario Municipal Board on behalf of the city of Mississauga. The point is that the tax base must be protected. We have a resolution as well from the city of Mississauga, and I am sure the member is aware of this, that it is undergoing an impact study for section 63 programs at the request of council. I would say the council of the city of Mississauga does not share the member's opinion.

PCB DESTRUCTION FACILITIES

Mr. Ruprecht: Mr. Speaker, I have a question to the Minister of the Environment regarding polychlorinated biphenyl destruction facilities. Our research reveals that at the PCB destruction facility in Texas the local health authority counted 3,600 infractions in its first year of operation. In Illinois the Environmental Protection Agency closed down the destruction facility after widespread sickness and death occurred among farm animals. Three weeks ago the Bonnybridge plant in Scotland was closed because of severe problems there.

Would the minister be prepared to have his government take responsibility if the health of nearby residents is affected when the mobile units go into operation?

Hon. Mr. Brandt: Mr. Speaker, the honourable member is talking about technology that is not nearly as advanced as the type of technology that is being proposed for Ontario in the mobile destruction units we are anticipating will come into operation with the new regulations.

I do not anticipate the types of problems the honourable member is talking about. I can only assure him that the type of monitoring, the type of control systems, the type of backup protection that is available and the systems that are being looked at in Ontario as part of our regulatory process are far more advanced than the type of thing he is talking about and would not lead to the same problems.

Mr. Ruprecht: Will the minister give us assurances that if he should decide on the recommendations made by the PCB hearings and if he permits burning of PCBs in urban centres such as Metropolitan Toronto, London, Windsor, Sudbury and other places, the recommendations he is going to make to this House will also include exactly who is responsible if our people's health should be adversely affected, not only in the immediate future but also after a number of years?

Will the minister tell us whether the ministry is going to be responsible if adverse health effects should take place? Is it going to be the operator or the company that holds the licence?

Hon. Mr. Brandt: As the member knows, we are going through an exhaustive process of hearings on PCBs with the express purpose of building into the system the necessary safeguards. I am sure the member would want to see us put into that system.

We are establishing, as an example, the length of time a particular mobile unit can remain in a community. We are trying to establish as well the setback requirements. We have not determined whether a unit can go into a very densely populated area, as the member suggested in a most misleading letter he sent out to his constituents indicating, I might add, that we had—

Interjections.

Hon. Mr. Brandt: Mr. Speaker, I am not through yet.

Mr. Ruprecht: On a point of personal privilege, Mr. Speaker: I would ask the minister to withdraw the statement that I have been misleading the residents. I will tell you why. The minister knows full well that no area of burning is being exempt.

Mr. Speaker: I think you have made your point.

Mr. Ruprecht: No. I would like you to hear me out. If he wants to stand up—

Mr. Speaker: Order. Will the honourable member resume his seat. Thank you.

11 a.m.

Hon. Mr. Brandt: I will withdraw that comment and indicate that the letter was factually inaccurate. The inaccuracy relates to the fact that the member suggested without any equivocation whatever that this government and this minister were going to move mobile polychlorinated biphenyl destruction facilities right into the Junction triangle. I had this discussion with the member through a radio show.

Mr. Ruprecht: The minister should show me the letter.

Mr. Speaker: Order. The honourable member will please resume his seat.

VISITORS

Mr. Peterson: Mr. Speaker, this is either a point of order or a point of something or other. It is a point of great importance.

There are five distinguished people in the gallery whom I believe deserve recognition. I would like them to be recognized and greeted warmly by this House. We are going to see a lot more of them. They are: Jean Poirier, Lowell Green, Chris Ward, Bernard Grandmaître and Lily Munro.

They are the Liberal candidates in the by-elections and I am sure the House is going to get to know them as well as I know them. I am sure the House will enjoy their constant company as much I enjoy their constant company.

Mr. Speaker: Thank you very much. New question.

Interjections.

Mr. Speaker: Order.

Mr. Rae: I hope the people whom the leader has just introduced enjoy their very brief stay and their brief visit here today. This may be the last time they will ever see this place.

Mr. Ruprecht: Mr. Speaker, on a point of order: I was fairly calm and did not hear the Minister of the Environment (Mr. Brandt) answer who was responsible for these burnings and who is responsible if accidents take place. He still has not answered that question.

Mr. Speaker: Order. With all respect, I think the minister was answering the question. There were interjections from members, including the member for Parkdale (Mr. Ruprecht) himself, and I decided to cut it off.

ONTARIO STATUS OF WOMEN COUNCIL

Ms. Bryden: Mr. Speaker, I have a question for the Minister responsible for Women's Issues. On Tuesday, we were discussing the status of the Ontario Status of Women Council and the Touche Ross report the Deputy Premier (Mr. Welch) had commissioned to examine the role of the council.

Now that the minister appears to have decided to continue the council by filling the vacancies, will he tell us whether he has also accepted the conclusion of the Touche Ross report that the council has a very crucial and distinctive role to play in the women's program, namely to give independent and external advice, presenting the view of women and the public?

Will the minister accept the recommendations of the Touche Ross report to bring in supplementary estimates that would enable the council to become independent and maintain an independent position; to support increased public consultation on educational activities; to facilitate regional work, and to upgrade the level of

expertise of the staff and the committee? Will the minister bring in supplementary estimates for those items?

Hon. Mr. Welch: Mr. Speaker, if I could put the question of estimates aside for a moment, the answer to all the other questions is yes.

With respect to the estimates, the estimates before the committee of supply at present do accommodate some increase for the council. We will be discussing that in our estimates.

REPORT

STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Mr. Barlow from the standing committee on resources development reported the following resolution:

That supply in the following amounts and to defray the expenses of the Ministry of Energy be granted to Her Majesty for the fiscal year ending March 31, 1985:

Ministry administration program, \$7,273,400; conventional energy program, \$3,323,200; alternative and renewable energy program, \$15,998,500; energy conservation program, \$17,945,900; regulatory affairs program, \$2,565,300; energy investment program, \$69,250,000.

INTRODUCTION OF BILL

Hon. Mr. Snow: Mr. Speaker, I know my colleagues would be very disappointed if there were not an amendment to the Highway Traffic Act in each session of the Legislature.

HIGHWAY TRAFFIC AMENDMENT ACT

Hon. Mr. Snow moved, seconded by Hon. Miss Stephenson, first reading of Bill 136, An Act to amend the Highway Traffic Act.

Motion agreed to.

Mr. Speaker: Introduction of bills?

Orders of the day.

Hon. Mr. Snow: Do you want a brief explanation of this, Mr. Speaker?

Mr. Speaker: I waited for you and you did not stand up.

Hon. Mr. Snow: This is Friday morning, you know.

Mr. Speaker, there are a number of house-keeping amendments to the bill but a few I believe are worth mentioning to my honourable colleagues.

Section 2 of the bill deals with the time of use of motor vehicle headlights. It adds to the present

legislation one hour morning and night when headlights will be required.

It also deals with the matter of the carriage of television sets within vehicles. It deals with the use of new—

Mr. Nixon: What is the minister going to do if he is stopped in traffic on the Queen Elizabeth Way?

Hon. Mr. Snow: If the member for Brant-Oxford-Norfolk (Mr. Nixon) had one of these new types of television sets, he would be able to watch the car behind him. This is a new safety measure we are approving which allows a closed-circuit TV monitor to monitor the road behind a vehicle, mainly for safety purposes.

The amendment changes a reference in the legislation that deals with yellow lights. That is being changed to red and amber. Another proposed amendment would cause convictions for offences involving motorized snow vehicles to be reported to the registrar in the same manner as they are when motor vehicles are involved.

ORDERS OF THE DAY

COLLEGES OF APPLIED ARTS AND TECHNOLOGY LABOUR DISPUTE SETTLEMENT ACT (concluded)

Resuming the adjourned debate on the motion for second reading of Bill 130, An Act respecting a Labour Dispute between the Ontario Public Service Employees Union and the Ontario Council of Regents for Colleges of Applied Arts and Technology and the Boards of Governors of Colleges of Applied Arts and Technology.

Interjections.

Mr. Speaker: Order. I was not sure whether the honourable member who was standing wanted to ask a question, but I will recognize the member for Welland-Thorold.

Mr. Swart: No, it is past question period time, Mr. Speaker.

Mr. Speaker, I think it was on Tuesday night when I first heard that legislating the college teachers back to work was imminent and, like the rest of my colleagues in this party, I felt quite uncomfortable and unhappy about that. We think the workers have the right to strike and we are opposed to back-to-work legislation in principle.

I have to admit, though, that a counterbalancing factor that all of us are considering at this time is the fact that some 600,000 students would be resuming their education. Although I did not like the back-to-work legislation, I live in the real world; I know how the government across the

way works. Their decisions have little to do with principle. It is really how many votes will be won or lost.

11:10 a.m.

Some proof of this was given by the member for Burlington South (Mr. Kerr). When my colleague the member for Port Arthur (Mr. Foulds) asked the rhetorical question, "What good is this legislation?" the member for Burlington South said, "It is good for five seats." Not long after that, when the member for Port Arthur said there was a lot of objection to the bill, the member for Wilson-Heights (Mr. Rotenberg) said, "Take a poll." I do not know whether they took a poll, but it was certainly the opinion of the government that there was overwhelming popular support for the back-to-work legislation.

I understand why the government is ordering them back. It has no great conviction about the rights of labour generally. Because of these factors I was not planning to speak, until I read the bill. Then I was so infuriated I determined I must register my opposition to it. It is not just back-to-work legislation. It is, perhaps even more so, legislated punishment against the teachers for striking. It is the worst back-to-work legislation I have seen in this House in the more than nine years I have been here. It is so vindictive and mean one thinks the Minister of Education and Colleges and Universities (Miss Stephenson) wrote it all herself.

I want to say to the Liberals on my right, all four of them who have stayed to hear the debate on this very important bill—

Mr. Kerrio: We are one up on the New Democratic Party. There are only three NDP members here.

Mr. Elston: Point of privilege, Mr. Speaker.

The Deputy Speaker: Order. Are you sure it is a point of privilege and not a point of order?

Mr. Elston: Mr. Speaker, on a point of privilege or whatever: It is a point of offence that this gentleman stands up and criticizes members of this Legislature who have other obligations. I have an obligation to be in the standing committee on administration of justice. There are people with duties around here that this fellow obviously never thinks about. It is time there was a little consideration. He ought to recall there are other responsibilities for members on all sides of the House.

The Deputy Speaker: Fine. The point has been made. All members need to follow the normal courtesy they would ask for themselves in

debate. Would the member for Welland-Thorold please continue.

Mr. Swart: I will be glad to continue. I just reported a fact, that there are four members of the Liberal Party in the House this morning.

Mr. Kerrio: We are one up on you.

Mr. Swart: Proportionally, that is a bit more.

Mr. Riddell: Mr. Speaker, on a point of privilege: There are five Liberal members in the House, not four.

Mr. Swart: I can understand why the Liberals are very sensitive about this bill—

Mr. Kerrio: There is an important bill on the floor that the member should be talking to instead of this malarkey.

The Deputy Speaker: Order.

Mr. Swart: I do not consider this issue before us—

Mr. Kerrio: To the bill. Stop this foolishness.

Mr. Swart: I do not consider this issue to be malarkey. It is a very important issue—

Mr. Riddell: The NDP members have treated it with levity.

Mr. Swart: I wonder if I could have the attention of the House to continue.

The Deputy Speaker: The only suggestion I can make to the member is that perhaps it might help to get their attention if he left alone personalities and any interparty play such as counting noses, and dealt with the second reading of the bill before us.

Mr. Kerrio: Exactly. The member should address himself to the bill.

Mr. Swart: I did not deal with personalities. I want to correct the record on that. I was dealing with the position of the Liberals on this bill. It seems that is very much a part of the debate on this issue. I want to say to them—

Mr. Kerrio: The member is not dealing with the bill and that is what we were talking about. To the bill.

Mr. Riddell: We want the students back at school. That is our position.

The Deputy Speaker: Order. We do not need the interjections.

Mr. Riddell: He is very provocative.

Mr. Swart: I want to say to the Liberals on the right that they should think again about their position on this bill. It is one thing to support back-to-work legislation. It is something we on this side of the House find extremely distasteful. It is one thing to support that, but it is very much

another thing to support a mandated employer's position. That is really what this legislation is that is before us at this time.

I would like to point out how it is mandating the employer's position and how it is vindictive and mean legislation to the college teachers of this province. Almost everyone who has spoken has pointed out that most legislation which forces workers back provides that the issues in dispute will go before an arbitrator. This, of course, does not. The major issue, almost the only issue, the work load and how it affects the quality of education, does not go before the arbitrator. It is mandated legislation for the employer in this instance.

In lieu of this mandated employer's position, they have thrown two sops to the teachers. The first is they have created an instructional assignment review committee which has no power to do anything, does not report until June 30, and then it is only to give a recommendation to the minister. If there is anything the minister does not need it is a recommendation. Surely she knows the situation in this province with regard to the work load. To set up a committee of this type is just buck-passing and a sop to the teachers.

Second, they have appointed the college instructional assignment committee for each college. It is a very interesting appointment and a very deliberate tactic on the part of the minister. It sets up two people from each side, two from management and two from the union. When they come to an agreement on something according to subsection 9c(8), which is the amendment submitted by the minister, it says, "A decision of a committee is final and binding upon the employee and the supervisor."

That is all very well. It sounds good until one realizes that subsection 9c(9) applies on those very controversial matters where there cannot be a decision. That subsection says, "When a committee, after a review, is unable to reach a decision, the employee is entitled to file a grievance in respect of the instructional assignment in the manner provided for in the agreement."

My leader, in this House yesterday, read out two decisions. Not only did they take three or four years in total to be arrived at but the Ontario Labour Relations Board also said there is no power in the agreement to deal with the work load. As far as the teacher who wants to appeal the work load is concerned, he or she just gets in a revolving door and comes right back out at the same place.

Another way in which this legislation is vindictive to a degree that I have never seen before is that the mandate, in effect, means extra work for the teachers when they go back—and without remuneration.

If we look at clause 2(1)(b), it states, "Every employee shall report for work and shall perform the duties assigned by the employer including duties assigned in order to afford students the opportunity to complete courses of study affected by the strike." What does this mean? It means that the board of governors of a college can say to the teachers: "We are going to run classes on Saturday. We are going to run classes on Sunday. We are going to run classes in the evening to make up." There is no guarantee the teachers will get paid for that.

11:20 a.m.

The government will have saved its \$20 million or \$25 million and the teachers will be compelled to work for nothing to ensure that the students get the same education they would have had if the strike had not taken place. What kind of injustice is that?

Subsection 4(1) of the act is a further slap at the teachers. It says, "The Lieutenant Governor in Council shall, upon the advice of the minister," that is the Minister of Education, "appoint an arbitrator to examine into and decide upon the matters referred to in section 5."

Surely the minister, who has already come out in support of the Council of Regents' position, has a real vested interest in appointing somebody who is going to uphold her side and that of the regents. It will not be possible to get an impartial arbitrator. Surely if they had wanted to have legislation that was fair, it would have been the Minister of Labour (Mr. Ramsay) or somebody else who would have appointed that arbitrator, and not the Minister of Education who has already taken sides.

On the matter of salary, the minister is putting a second set of shackles on the arbitrator. Subsection 5(5) says, "In making his decision, the arbitrator shall consider as a factor the ability of the employers to pay in light of the existing provincial fiscal policy." We already have general legislation that provides that. Why does the government have to put it in the bill in even tougher terms? The minister is doing that to take a slap at the teachers.

Looking at subsections 9(3) and 9(4), there is a double standard on offences.

Subsection 9(3) says, "Where the union is guilty of an offence under this act, every officer, official or agent thereof who assents to the

commission of the offence is guilty of the offence and is liable to a fine of not more than \$500 for each day upon which the contravention by the union occurs or continues."

Subsection 9(4) says, "Where an employer is convicted of an offence under this act" he is subject to the same kind of penalties "unless he satisfies the court that he took all reasonable care to prevent" it. Why could that not have been put in for the union? There is one standard for one and one standard for the other.

I suggest the size of the penalties is extremely punitive. It is \$500 a day for any teacher who stays out and \$10,000 for the union if it aids or abets any of this.

After this bill, I think we must conclude that the minister thinks teachers must be very dangerous people. They must be totally bad when they are singled out for this kind of treatment, and they really are singled out. She has collected the spit and the prejudice of the member for Timiskaming (Mr. Havrot), mixed some of her own arrogance and vindictiveness with it, and she now proceeds to rub the teachers' noses in it. I would not be surprised if she had a voodoo doll at home or in her office into which she sticks pins.

Hon. Miss Stephenson: I think I have one of you, Mel boy.

Mr. Swart: I want to tell her it has no effect on me.

Hon. Miss Stephenson: That will be the only one I will ever have.

Mr. Swart: I want to ask my Liberal colleagues again whether they are going to aid and abet the Minister of Education in this. If they vote for this bill, they are not just voting for back-to-work legislation; they are voting for an unprecedented abasement and humiliation of our college teachers at the hands of the Minister of Education. I urge them to stand up and be counted with us against her unworthy and hostile legislation.

Mr. Haggerty: Mr. Speaker, I have a few comments to make on Bill 130, An Act respecting a Labour Dispute between the Ontario Public Service Employees Union and the Ontario Council of Regents for Colleges of Applied Arts and Technology and the Boards of Governors of Colleges and Applied Arts and Technology.

I heard the member for Welland-Thorold express his views concerning compulsory arbitration. I think we all share some concern about compulsory arbitration. However, I must say to him that I do not think it is something new to this

government or this chamber. I think of the concerns of some 300 or 400 students I visited in the library at Niagara College last Monday.

The minister has indicated that the Council of Regents and the union began negotiations last May and, following a fact-finder's report, the council tabled the first complete offer on August 31, 1984, about four or five days before the colleges opened their doors to the students. That was followed by a second offer on September 25 that the union refused to receive from either the council or the mediator.

I look at the process that has taken place, particularly in relation to what might be considered essential services in the public sector and the difficulties there are in the bargaining process.

I often feel this Legislature is used as a scapegoat when there is an impasse in bargaining between two parties, particularly in the public sector. They can take a hard-nosed line at the beginning and say, "We do not have anything to worry about it because, whatever we do, the Legislature will bail us out." I think that is the wrong approach to take. New labour legislation should be brought forward in the public service sector areas whether or not it relates to essential services.

I am sure I have the time to compare this bill to legislation introduced in British Columbia in the time of Dave Barrett, that great Premier of the New Democratic Party, that put back some 50,000 employees, and I am sure they were not all public servants. Anyway, the Minister of Labour at that time, Bill King, a good New Democrat, said it was a regrettable step to take but all other methods of solving the dispute had failed. At the same time, he announced a search for a better way of dealing with work stoppages in such essential services as firefighting, police and hospitals.

One can look at the special legislation forcing striking food industry, forest, railway and propane workers back on the job that was passed by the British Columbia Legislature in emergency session on October 7, 1975. The bill, called the Collective Bargaining Continuation Act, gave the more than 50,000 workers involved 48 hours to return to work.

If one looks at the bill, there are some good things in it. That was a case where the government perhaps had no choice but to bring in compulsory arbitration. Perhaps the minister is following the bill introduced by Dave Barrett, NDP leader in British Columbia, in 1975. There

are no differences in the intent of this bill and the intent of the legislation in British Columbia.

I think we have forgotten the third party in this strike, the students themselves, who had signed a contract. Many of them worked hard to get sufficient funds so that they could enter college to upgrade their education or receive a better education for the prospect of good jobs in the future. We have ignored their part in this and what it has cost them.

The students raised some questions with me and others at that meeting and asked, "What compensation is there for us?" I think the answer from the deans was: "There is really no compensation. What we can do to resolve your educational problems is to compress the instructional courses in the college. We can pick up the month they will lose in their college education."

11:30 a.m.

The answer from the students was, "At what expense and with what compensation? Some in the co-op program will lose their jobs because of the loss of their education for one month in the colleges." Another said: "I am paying room and board. I am from outside the province. Who is going to pay for that extra cost?"

There is the question of compressed studies. What effect will they have on the students? Will they be able to cope with it? One of the deans said, "You will probably be working in school up until the end of August, and then the next term comes." They will lose all their chances for employment in summer jobs. Again, there is no compensation by the government or any of the parties involved in the strike.

So as much as I detest compulsory arbitration, I have to support such legislation today. As the Premier of British Columbia said, it is regrettable that we have to take this stand. I want my colleagues to my left to understand our amendment. Perhaps I should read the intent of it:

"The Liberal amendments are introduced on the assumption that the teachers will return to work immediately. These amendments would have the effect of bringing the issue of the quality of education, primarily the matter of teachers' work load, back to the bargaining table for the two parties to negotiate for a period of up to 30 days. If no agreement were reached by that time, the matter would be referred to the arbitrator."

The amendment says we are not taking away the right to strike; we are giving them time to reassess their position in negotiations.

The private member's bill I introduced in this House when I was the Labour critic for the Liberal Party for a number of years contained a

60-day cooling-off period. What the minister is doing now is more than a cooling-off period. If she waits for another study to come back, it will be a year from now, almost. I think that is the wrong direction. If we are going to keep abreast of new technology, new contracts, new negotiation procedures, then this government should be looking for a cooling-off period. If that had been applied, as this Liberal amendment says, back in early September, those students would never have lost a day in school.

Our party supports this in principle, but the government is going to have to look at other alternatives so the Legislature is not called in to amend legislation or to remove an impasse. I think the government should be bringing in progressive labour legislation in this area.

In fact, if the minister had only called on the Minister of Labour, who has the expertise in this area of negotiations, I bet it could have been resolved. But she did not do that; she referred it to the old method of fact-finders. What have they done in the past in strikes, particularly in schools? Nothing. She should have called on the expert, the Minister of Labour, to get into the picture earlier than we are doing with the legislation today. It could have been resolved back in the latter part of August of this year.

I suppose we have to support the legislation in principle, but I hope the minister will find some other methods to bring forward so the parties do not have to depend on the Legislature to legislate them back.

Mr. Cooke: Mr. Speaker, I will be very brief. I want to indicate to the minister and to the House that I gave this strike a great deal of thought when we knew that legislation was going to be introduced, but the decision on how I would come down on this kind of legislation was made very easy when the minister introduced this legislation, which is one-sided, is unfair and is exactly what the Council of Regents wanted.

In my seven years in this Legislature, this is the second-worst piece of legislation. The only one that was worse was Bill 179, the wage control bill. Of course, on both pieces of legislation the Liberals and Conservatives are on side with one another.

I find even the process here in the Legislature somewhat amazing. On a major piece of legislation, on an issue that affects virtually the entire province, there has been very little participation in this debate: none from the Conservatives, with the exception of the member for Wilson Heights, and only two or three members from the Liberal Party.

It seems to me that one of government's most important roles is to protect people's rights, and if we believe in the right to free collective bargaining, then surely the minister should not be bringing in legislation that is one-sided. She should have done everything in her power to facilitate free collective bargaining and a negotiated settlement to this matter. That was not done.

If the Premier (Mr. Davis) had become involved when my leader called for his involvement more than a week ago, I believe he could have mediated and assisted in achieving a negotiated settlement, rather than this half-arbitration and half-imposed settlement that the government has decided to introduce with the support of the Liberal Party.

It was 10 years ago next week, or the week after, that I was elected to the Windsor Board of Education. When I was elected to the board, we were in the midst of a strike of our teachers. In the two-year term I served we had a second strike. In the first strike we had a negotiated settlement. In the second one we had an arbitrated settlement which only resulted in a third strike after I was off the board of education. When the third strike occurred, the then Minister of Education (Mr. Wells) said the government had absolutely no intention of getting involved and the parties would have to negotiate their own settlement.

When they were forced to negotiate their own settlement they struck history. They signed the first three-year agreement since Bill 100 had been brought in. We have never had a strike in Windsor again with our secondary school teachers. The relations between the board and teachers have been somewhat harmonious in the last number of years.

I remember talking to the then Minister of Education after the third settlement had been struck at the bargaining table. He said it was the vindication of Bill 100, the vindication of the right of teachers to strike and to bargain freely with their employers.

I also remember him saying that a true Conservative Party should be the staunchest defender of free collective bargaining. Yet this fall alone we have had two pieces of legislation that denied this. One would not even allow workers to withhold their labour for a day—the legislation was brought in before the strike even occurred—and then there was this piece of legislation.

If one looks back at the history of the problems we are having in the college sector now, one has to trace some of the conflict back to Bills 179 and

111. When we were fighting the battle on Bill 179, we introduced motion after motion in committee in order to bring ministers and deputy ministers in front of the committee to discuss with us the long-term implications of the legislation. It took away the right of workers to bargain freely. We predicted at the time there would be strife in public sector negotiations over the years because of the bill's implications.

Other colleagues of mine in this party have discussed the flaws and the unfairness in this legislation, so there is no need for me to go into it. But I want to refer for a couple of minutes to my colleagues on the right.

When we took the vote on first reading on this bill yesterday, Mr. Speaker seemed somewhat confused. He asked for all those people in favour of first reading to stand. Then, when the Conservative Party was finished, he then asked for all those opposed. He assumed the Liberal Party was opposed to this legislation. Much to his surprise they were not; they were favouring the legislation. Why would he be confused?

If one looks at the questions that have been asked in the Legislature in the last couple of weeks, and the kinds of statements that have been made even on this legislation, one could get very confused at the position the Liberals have taken. They have been critical of the minister; they say she has been totally wrong in her handling of the situation and that she lacks their confidence. They said the Premier should be involved. They said there could have been a negotiated settlement.

Then the legislation comes in and they say, "The whole situation has been messed up by the Conservative government but because it is politically popular we will support Bill 130, which will order the teachers back to work."

It is too bad the five Liberal candidates who are running in these by-elections were not here to watch this debate to see what a hypocritical position their party is taking on this legislation. The party has done the same on virtually every other piece of labour legislation introduced by the Conservative government.

Mr. Nixon: The candidates who stand in the way of kids going back to school are going to be knocked of the map, and they are yours.

11:40 a.m.

Mr. Cooke: It is not a matter of standing in the way of kids going back to school. The government does not need the Liberal Party's votes. There are 71 Conservatives in this Legislature and they can pass the legislation on their own.

Mr. Riddell: The member needs to protect his own hide. Does he know what Fergie Jenkins is doing? Fergie is going round his riding telling the people the member's party is preventing students from going back to school.

The Deputy Speaker: Order.

Mr. Cooke: Fergie does not even know where my riding is.

Mr. Van Horne: Do not be too sure.

The Deputy Speaker: Order.

Mr. Cooke: Fergie Jenkins does not even know where Windsor-Riverside is. They wanted him to run in Chatham, but the Chatham Liberals had too much sense. They would not take him.

Mr. Kerrio: The member would be very wise to put his own position and put arguments to the bill and not to talk about anything else.

The Deputy Speaker: Order.

Mr. Kerrio: Those people are ridiculous. They are playing to the groups who come to see them and they do not talk to the bill. Why do they not talk to the bill?

The Deputy Speaker: Order. Would the member please restrain himself.

Mr. Foulds: On a point of order, Mr. Speaker. Is there a psychiatrist in the House? I think the member is having a mental breakdown.

The Deputy Speaker: Your comments are inappropriate. Would the member for Windsor-Riverside continue.

Mr. Cooke: The member for Niagara Falls (Mr. Kerrio) says we are playing to the few people in the galleries. What the Liberal Party members do on every one of these controversial issues is stick their fingers up in the air and whatever way the political wind is blowing that is where they go. They are gutless, they are hypocritical and they have done that on every piece of labour legislation.

The Deputy Speaker: Order. May I make a suggestion to the member in his debate. It serves for all of us. We all know our standing rules prohibit us from using inflammatory language. If the member insists on choosing those lines, he will have to be prepared for interjections and then the chair will have to do what it must. I would remind the debater and other debaters this morning to stay on the bill and leave personalities out of it. Let us also keep the choice of language up to a level that is worthy.

Mr. Kerrio: On a point of personal privilege, Mr. Speaker: I want to say this with the greatest sincerity to the people in the New Democratic Party. I came here to hear this bill debated and I

am prepared to listen to the bill being debated. I am not prepared to listen to their foolishness in dragging this party into their rhetoric. I want to hear about this very important bill. That is what I came for, but any time the member makes reference to this party he will hear from me.

Mr. Cooke: I will not refer to that party any more, other than to say its actions speak louder than any words I could use to describe what kind of principles it has.

In finishing up, I simply want to say that this bill, along with Bill 179, Bill 111 and the Toronto transit workers' bill that was brought in earlier this year, is an indication of where we are going in this province with respect to labour relations. The Conservative Party in this province brings in regressive legislation that is identical in principle to the kind of legislation the Social Credit government in British Columbia brings in.

The government does it with a smile, does it nicely and does its best to deceive the people of this province. It tries to come across as being progressive, but when it comes down to reality, we know which side it is on. It is on the side of management, whether it is in the private sector or the public sector. The workers take a beating every time legislation is brought in, whether it workers' compensation, labour legislation or this particular dispute.

The history of this minister when she was Minister of Labour and now as Minister of Education is a disgrace. She is continuing the same kind of legacy that will be left by her for years. Unfortunately, in the meantime, the workers of this province suffer.

Mr. Van Horne: Mr. Speaker, I will attempt to be brief. I cannot let the opportunity pass without making a very brief reference to the member for Windsor-Riverside. Having been born in Huron county and having spent a fair bit of time in a rather rural setting, I am mindful of the fellows who used to come around periodically to clean out the septic tanks. I think they were called honey dumpers.

I have to tell the chamber that I am reminded of that occupation whenever I listen to the member for Windsor-Riverside; such nonsense, such sanctimony. Mr. Speaker, I cannot tell you how angry I am to listen to that nonsense. If that party were sincerely concerned about the students and the staff who want to get back to the job, they would not have dragged us through this exercise for the last 24 hours.

Our party is reluctantly supporting this piece of legislation; we all know that. I want to take the

opportunity to remind the members that those of us who have colleges in our ridings have been in constant contact with a very large number of students and teachers.

In my particular constituency office we keep a log of every phone call that comes in. In the first week of the strike we had more than 350 calls at the office. The three members from London, with Fanshawe College in the riding of London North, also found that the students and faculty had been issued sheets with not only our constituency office numbers on them but also our residence numbers. At my residence in the first week of the strike I received just short of 100 telephone calls.

In the first week, between office and home, a significant number of people called me to express their concern. Not one of those people said, "Hurrah! We are on strike." They were all saying: "Help get this over. Help us get back to the classroom. Help us get back to the job."

Beyond that first week, although the numbers did decrease slightly, the calls did continue. In total, between the constituency office and the residence, I received close to 1,000 calls. I have to reiterate what I said just a moment ago. Precious few of the people who contacted me were happy about the strike or wanted it to continue.

On the other hand, if one looks at the work load of some of these people on the faculty, one can understand their strong feelings. I have a communication from a constituent of the member for London South (Mr. Walker) who felt obliged to send me his concern. This faculty member says in this correspondence, in part:

"In September of 1976 I grieved my work load. The college instructional assignments committee unanimously upheld my grievance. This took the better part of a year. My chairperson neglected or refused to obey the committee's order for relief. The case went to binding arbitration.

"Only a half year more elapsed, and an arbitrator upheld my grievances and ordered a reduction of work load as a remedy. The chairperson chose her own interpretation of that order, and the case went back to the arbitrator. Nearly one year after his original award the arbitrator awarded monetary compensation.

"The college must have wasted in excess of \$12,000 in legal costs, arbitrator's costs, etc. The union spent nearly \$10,000. The award was about 15 per cent of those two sums."

This person goes on to talk about his present teaching assignment. He says: "I am assigned

to teach eight different classes five different courses, of which two are entirely new to me. There are no textbooks available in one of the courses. I write my own material. I meet 891 students each week."

He then goes on to relate that to the ratio and to express the concern he and many others have. He does not feel badly treated monetarily, but he does feel his work load is almost unbearable. That, as I understand the issue, has been one of the major concerns.

We realize this legislation is not perfect, we realize the situation is not perfect; but we recognize beyond that the broader principle. I object to being accused of following a politically popular move, again according to the member for Windsor-Riverside. It is not politically popular, but the situation demands attention and it is getting it.

11:50 a.m.

Again, I do not want to delay the process. If this debate had been directed to a conclusion last evening we would have had the people back in the colleges today getting ready for next week. As it turns out, next week will be practically lost in the reorganization and getting back into a process.

I would submit to honourable members that the exercise the New Democrats are putting us through has effectively added a full week to this problem and there is no way they can duck that responsibility. They are guilty of delaying tactics that are harming every teacher and every student in the community colleges here in Ontario.

Ms. Bryden: Mr. Speaker, while I recognize that everyone wants to see a quick end to this strike, we are opposing this bill for several very important reasons.

First, we are being asked for the second time in less than three months to put another nail in the coffin of free collective bargaining in the public sector. I regret the government appears to be becoming addicted to rule by the big stick instead of assisting the parties in reaching a negotiated settlement. It puts the Conservative government in the same right-wing camp of undemocratic governments as the British Columbia government, the Alberta government and the Reagan government that destroyed the air traffic controllers' union in the United States.

The legislation probably violates the freedom of association section in the Charter of Rights and Freedoms, but by the time anyone can test it in the courts the law will have been implemented, if it passes.

Back-to-work bills destroy the collective bargaining process in the public sector. Genuine bargaining ceases when management knows that sooner or later the government will step in with the big stick.

I think it is rather ironic that a year ago when the government passed the second restraint bill, it brashly labelled that bill, in part, an Act for an Orderly Transition to the Resumption of Full Collective Bargaining. It was talking about the public sector.

I regret that more than 600,000 students have lost three weeks of instruction and lab work. I can understand their worries about completing their year and about obtaining value for the fees they have paid that have cost them a great deal to raise.

I regret that teachers who had the guts to go out on strike for the principle of quality education have been stymied. I congratulate them on a pioneering attempt to bring important, new, nonmonetary items into the collective bargaining process. The Metro Toronto library workers are doing the same thing, the same sort of pioneering in the technological change field.

The second reason I am opposing this bill is I think the minister could have probably got the colleges open even today without the bill if she had done one simple thing. She could have announced on Wednesday after the cabinet meeting that the government was allocating an additional \$40 million to the community colleges to hire additional teaching and support staff to overcome the work overload problem. This money could have been allocated on the basis of approved need by each college.

The Council of Regents could not solve the work load problem without this kind of assist from the minister. The minister and the government knew this, but they did not respond. Even if the grant the minister had given them this year was above the cost-of-living index, as she says, it was simply inadequate to meet the greatly increased enrolment and the overload problem that had been building up for several years.

I would venture to suggest that if the minister had made this announcement on Wednesday, the two parties would have been back at the bargaining table that day and a negotiated settlement could probably have been reached by the end of the week. The students might even have been back by today.

The minister was talking nonsense and showing her lack of understanding and respect for the legislative process when she said the colleges could have been open on Friday with the bill she

was introducing on Thursday afternoon. There are 125 members in this House. The number of hours that would have been left to debate the bill on Thursday afternoon and evening after its introduction would have been about four. At 30 minutes a person, eight members could have participated in the debate.

The supreme legislative body of this province should have an opportunity to discuss a bill of this seriousness, which affects the whole province, with adequate time for all those members who wish to participate to join in. As for the last speaker from the Liberal Party saying the students could be back sooner if we had let the thing go through last night, if the minister had followed my suggestion and announced the new grants on Wednesday, they could certainly have been back much sooner than under this bill.

My third reason for opposing the bill is that it fails to satisfy the needs of any of the parties involved in the dispute. It fails to resolve the teachers' key concern in the strike, the question of work load, which is not to be part of the arbitrated settlement. It fails to provide any special assistance to students to help them make up for three weeks of lost instruction and lab time. It does not contain any guarantees that might allay their fears about the loss of their year.

It fails to provide any assurances to the Council of Regents that it will be able to fulfil its mandate to provide quality post-secondary education to the great influx of new students resulting from job shortages in the work place and of young people now realizing that more education is necessary.

The Council of Regents and the ministry share a responsibility to provide quality education to all those students who wish to attend community colleges and who can qualify. The minister has failed to assume her share of this responsibility. The bill simply sends all the groups back to the colleges with no assurances that the educational shortcomings which have surfaced during the strike will be overcome.

Let me share with members the educational shortcomings in one small segment of the community college system in Metropolitan Toronto. Centennial College campus at Ashtonbee has an automotive and transportation equipment course where the students learn repair and maintenance. The teacher, Mr. Bruce Barker, tells me he has not received any new shop equipment since he organized the course in 1973 except for what he has been able to obtain as donations from automotive companies. One can understand that

this kind of equipment would change radically over 11 years.

He has 20 to 22 apprentices on the work floor at one time. He used to have two instructors with them. Now he has only one. He is worried about the safety factor for all those working in such crowded conditions and with such little supervision.

His own teaching load is 22 hours, which is above the 19 the Minister of Education has been telling us most of the community college teachers have. These 22 hours do not include all the administrative work he does as the course organizer and supervisor. It does not include ordering supplies or even setting up the lab before classes. He also has a night course called "Ladies, Know Your Cars," which has 25 women of all ages enrolled but only five of them can get their cars on to the lab floor. They have to learn on somebody else's car, which may be quite different from theirs.

12 noon

That is an example of the kind of service community colleges are being forced to give; which is completely inadequate when we think of their mandate.

The problem appears to be the minister herself. These are the reasons we think she is making a mistake in bringing in this bill instead of solving the problem by dealing with the work load question in the only way the government can deal with it, which is by providing more funds for more teachers and support staff. Money is being found for other government programs, and this one affecting our youth and the training of our future work force is too important to short-change.

I would like to quote in closing a comment from a student whom Lois Sweet quotes in her article of November 7 in the Toronto Star. The community college student said, "If they think education is costly now, wait until they find out what ignorance costs later."

Mr. Wrye: Mr. Speaker, I had not intended to join this debate on second reading, but given some of the comments that have emanated from my left this morning, I want to make a couple of comments.

My friend the member for Beaches-Woodbine (Ms. Bryden) finally explained to me and perhaps to the House why the party to my left is going to vote against the bill and why we are going to vote in favour of it. She said in her speech a couple of minutes ago that the bill fails to satisfy the needs of any party in the dispute.

My colleagues and I and all parties on all sides of the House for the past three weeks have had hundreds of calls; one of my colleagues reports having received 1,000 calls from one party in the dispute, the students. The only need the students want satisfied is the need to go back to school. Consequently, that is why on that very simple principle of the absolute, urgent and total need to get the students back into the classrooms, this party is voting for the principle of this bill, because that is what it says.

We are as disgusted and unhappy as anyone—the teachers, many students and many other people; our friends on the left included—with the provisions under which they are being sent back. We are as unhappy as anyone that the key issue in this dispute is not to be addressed in any real way, that we are hoisted by the continuation and expansion of the college instructional assignment committees. These apparently have not worked very well in the past and I presume will not work very well in the future. We are given as a crumb, and that is barely all it is, another study.

At the appropriate point we will try to amend the bill to do certain things: to give the parties one last chance to negotiate together and to reach an agreement together on the key issue of work load, which is quality of education. That is what this strike has been all about.

Failing that from the two parties, we are prepared to put that issue in the hands of an arbitrator so that finally we will get some progress on the issue. The minister has provided us with a prescription for no progress, a prescription for the status quo. That may be all right with the minister, it may be all right with some of her colleagues, but it is surely not all right with the overwhelming majority of the teachers and, I might suggest, with the majority of the students, certainly the ones who have contacted my office. One curious thing is that while they all want to go back, most of them support the teachers' demands and say there is something very bad going on here.

My friends on the left would have us continue this strike. That is what they would have us do.

Mr. Martel: That is a lot of bunk and the member knows it.

Mr. Wrye: If I could feel—

Mr. Martel: The member knows he is lying.

Mr. Wrye: If I could feel—

Mr. Martel: The member knows it. I said it deliberately because he knows he is.

The Deputy Speaker: Would the member for Sudbury East please withdraw that remark?

Mr. Martel: Yes, Mr. Speaker. At the same time I would ask you to look at standing order 19(d)9, which says that you cannot impute motives to another member. I suggest that you ask the member for Windsor-Sandwich to withdraw his comment.

The Deputy Speaker: May we get on with the debate? Let us have both members do exactly that.

Mr. Martel: No, I withdrew. You cannot impute motives to anyone else in this House.

The Deputy Speaker: That is absolutely true.

Mr. Wrye: There is nothing to withdraw, Mr. Speaker. I did not impute motives.

The Deputy Speaker: There was a change in the chair at that point, so I have to admit I did not catch those remarks. I did hear the member for Sudbury East.

Mr. Martel: Mr. Speaker, you cannot say, "That party over there wants the kids to stay out on strike," or "He wants the strike to continue."

The Deputy Speaker: Order. With all due respect to the member, it is fair debate to accuse a party of motives. Our standing orders deal with an individual—for example, saying that someone is a liar. You know it well.

Listen to the tirades we have heard about the government in this party and that party. It has been going on through the whole span of the debate. Under our standing orders we deal with individual honourable members.

Mr. Martel: It is the same thing he said on the radio yesterday in Windsor. He goes out of here, plays this little game and makes these sorts of accusations that we are not worried about the kids. Most of us have taught school. That is a hell of a lot more than he ever did.

The Deputy Speaker: The chair will monitor the debate with great care, and I would ask members in turn to take care in the choice of their language as they make their legitimate debate.

Mr. Wrye: Thank you, Mr. Speaker. I am stating what would be the case if Bill 130 did not pass: The strike would continue. Presumably they would continue to negotiate, but I want to suggest that my friends seem to think that if only we did not have this bill, somehow the immense problems, even with goodwill, could be overcome in an hour and a half.

I was in the House for part of the speech of the leader of the third party yesterday and he kept talking about the fact that there would have to be a compromise. I would have thought that my friends on the left, many of whom come from the

trade union movement, would understand that on an issue as contentious as this, the movement to a compromise will not be easy and may be of long duration. Frankly, the students cannot wait any longer for that.

We agree the parties should bargain this crucial issue collectively, and that is why we have proposed that we allow them to continue to do so. But we know they cannot do so any longer with the students removed from the classroom, and that seems to me to be the fundamental principle we are speaking of today.

The other concern I have in making these few remarks is that my friends like to stand up and suggest that somehow this party is not willing to fight the good fight for a prolonged period of time and that they are. I always stack that up against the fact that on a previous occasion about two months ago we were in and out of this House in five hours as the great fight collapsed from the left.

Indeed, as the reality overcomes my friends, they are prepared, presumably, in some period of time to continue these discussions until such point as the matter is resolved today because, while they want to stand in their place and vote no, they too understand the reality that the students must be back in the classrooms Monday next.

12:10 p.m.

So I have some concern when I see the member for Sudbury East jumping up in his place with a suggestion that I have imputed motives. I wish he had been in his place during the speech of his colleague the member for Windsor-Riverside. I would think he would have wanted to jump to his feet and defend this party, because if there is any member in this Legislature who knows how to impute motives it is my friend from Windsor-Riverside, who does so with great regularity.

I will not prolong this speech. We will, as the House well knows, support the principle of the bill. We will also place before the House for its consideration, and I hope adoption—and I hope support will come not only from my friends on the left but also from across the way—of a different method of resolving the dispute. I say quite sincerely that, while we will put the students back in the classroom and in the short term we will satisfy one party in that regard, there is a prescription in the bill, as it is now written, for a continued mess and a continued poisoned relationship between the teachers and the colleges.

There are two principles at stake. Unfortunately, we are dealing in this bill with only one.

It is the one that must be dealt with in the short term, but surely the time has come to deal with the long-term principle and end the festering bad relationships that have been around the community colleges for a very long time.

Mr. Allen: Mr. Speaker, I rise, as did my colleagues in this party, to oppose this piece of legislation. I can understand the discomfiture of the Liberal members of this Legislature. There is a very fundamental Liberal principle at stake in this bill. That Liberal principle goes to the very root of one of our most sacred and cherished rights and freedoms, that is the right of association. We know how the courts have judged on that issue in recent months in relationship to collective bargaining and the right to strike.

The right of association has been threatened in the two years I have been in this Legislature in at least two major ways. One was with respect to Bill 179 and the other is with respect to this particular piece of legislation. This piece of legislation goes further to undermine the process of what one might call free and full arbitration in the manner of Bill 111. In those respects, this bill focuses on a central principle in the Liberal tradition and I am surprised that for some reason the members to my right—

Mr. Kerrio: We do not need a spokesman for the Liberal position. Why does the member not put his own position? That is all he has to do.

The Deputy Speaker: Order. The member for Hamilton West has the floor.

Interjections.

Mr. Allen: For some reason, the members to the right will not pay the Minister of Colleges and Universities the compliment of examining her legislation with some rigour. In contrast to the leader of that party, the leader of the New Democratic Party in this Legislature at least took time to burrow beneath the surface of this bill and to look at principles that were there which did not lie on the surface.

Mr. Nixon: Where is the NDP leader, by the way?

Mr. Allen: Where is the Liberal leader? They both happen to be busy men. I do not want to return to the Liberal caucus later in this dispute, except to say I will be supporting their amendment.

It seems to me there is another major principle that is offended in this piece of legislation and that is a Tory principle. I had always thought it was some part of the Tory tradition, indeed a central part of the Tory tradition in Ontario, that government should act with some overarching

paternal concern with regard to the interests of all aspects and all parties in the community.

What I find in this piece of legislation is an unusually partial defence of one interest in a dispute in which the ministry itself has been implicated as a party. This legislation does not establish only the position of the Council of Regents; it establishes the joint position of the ministry and of the Council of Regents in their joint dispute with the teachers of the colleges in this province.

This bill is for students; it is about teachers. It is a reflection of the Council of Regents as a structure, it is a mirror of a minister and it is a piece of paper that is utterly invidious in its principles.

As the members of this party have stated in our contribution to this debate, we understand the problem the students in a struck college face. They cannot get on with their lives and they are right to be concerned about that. We know the details of their problems and the way they have been magnified as the days have passed.

But it is no part of the motivation of the member for Nickel Belt (Mr. Laughren), a former teacher in a college, when he rises to dispute some of the fundamental aspects of this bill; or of the member for Sudbury East, a former principal whose students have gone on to post-secondary institutions; or of the brother of a student in the system today who expressed his concern yesterday; or of the member for Etobicoke (Mr. Philip), with his close association with Humber College, rising to tell us something of the history of the problem of funding in the latter years of the 1970s as seen through the eyes of a president of one of the colleges.

This party is more than sensitive to the problems of students, but we do not labour under the illusion that voting for this bill as a party is necessarily the best exercise of our responsibility in this House. We do not believe, on the other hand, that our opposition to it is going to delay its passage significantly.

It is in the light of this that we take our position as critics of the central thrust that lies at the very heart of this bill. It is the principle that a public sector employer, having been aided and abetted, if not managed, through this dispute with his employees, can expect that the minister and ministry involved will not only go out of their way to assist him but will pass legislation that will put in place the very package of demands, requirements and proposals that he has been unable to secure in the process of collective bargaining in the normal pattern.

When he cannot do that, surely it must indicate there is some fundamental flaw in the position he has adopted. We know when this dispute began that the Council of Regents was prepared to remove the work load limits on teachers in the college system. That is something like the bargaining process of the post office, in which you lay out 73 rollback provisions on the assumption that somewhere down the line the process of bargaining and arbitration will result in getting 35 rollback provisions. The whole supposition is that the working person must be worse off at the end of the process than he was at the beginning.

12:20 p.m.

That is not a proposition we in this party are prepared to abet in the Legislature in any way. The principle in the heart of this bill, as I described it, is not one we are prepared to accede to.

We know where the tyranny of the Tory majority leads in this Legislature. It leads precisely in those directions in the collective bargaining process, but it also leads to the fact that when it proposes legislation, that legislation gets passed. That is a matter of reality and the terms on which our politics have to be constructed. In the meantime, we play our role as critics. We try to do that to the best of our abilities.

It has been said in this dispute that the college teachers did not move. The final communiqué from the council said, "We are really frustrated by the union's refusal to work to an acceptable solution." In fact, there was a problem in the work load. I do not think anyone can deny that. As to the process of bargaining, certainly the negotiators for the teachers moved to several different positions.

In the first instance, they wanted a formula which does work. It works in the Ryerson Institute of Applied Arts and Technology and it works in Quebec. They were denied it. Then they proposed that since the council said no one in the system worked more than an average of 42 hours a week, perhaps it would be satisfactory to put a cap of 45 hours per week on overall working time. That immediately gave a lie to the council's propositions: first that the 42 hours was the average work week; second that they were prepared themselves to move in any direction.

Third, when that failed, the teachers' negotiators proposed that perhaps the ministry could help the situation by indicating an injection of funds would be available to assist in the hiring of further teachers in the system. That was turned down. The only proposals that ever came from

the council were ones that would have worsened the collective bargaining contract in force today. When we look at some of the amendments proposed by the minister, we can see that her proposals will make the present contract worse.

Why is there so much reluctance in the ministry? Why is there so much reluctance on the part of the minister? Why has there been so much reluctance on the part of the council to recognize and grapple with the work load problem? It can only be explained by the fact that the minister is not prepared to provide the funds to the system to deal with a real and pressing problem.

Certainly if one looks at the base study, the college growth study, it made it plain that coming out of the 1970s the system was in pretty dire straits. I do not need to read out the document to explain that, but it is certainly there in the abbreviated form in which it was available to anyone who was interested in that subject.

During the period immediately leading up to the college growth study in the late 1970s, one could see what was happening to enrolment. In the technology division, between 1976 and 1980 it went up 34 per cent. In the business division, over the same years it went up 59 per cent. In the applied arts division, over the same years it rose by 16 per cent. Then one can look at the enrolments that have occurred in the five years from 1978 to 1983. They have gone up 30 per cent.

Finally, in the last couple of years we have given a little more money to the system. We have given more money than inflation; that is true, I am not going to dispute that. In the last five years, there was a 47 per cent overall increase in funds for the system, which is larger than one would normally allow because it includes the Unemployment Insurance Commission money. In the statistics we use that is rolled in.

Those same years saw an inflation rate that cumulatively reached over 50 per cent. If members look at the enrolment and inflation combination, there is simply no way—the fact-finder says it—we can conclude the work load is not increased.

The productivity study, which is a five-year analysis of the system, made it quite plain what had happened over five years was that the unit cost of producing a student went down by 20 per cent. In the full five years, if the system had been working at the end of that period as it had been working in the beginning, there would have been 21 per cent more teachers, 21 per cent more support staff and 30 per cent more resources.

Can the minister draw the conclusion? The fact-finder draws the conclusion. He says: "On the surface, it would seem hard to imagine how... a decrease of approximately 20 per cent" in faculty "would not have a significant impact on the work load of the average faculty member. It is equally difficult to see how an increase or decrease in class size of 15 per cent would not have a significant impact on the average faculty member."

Surely, anyone who looks at the tables in the work load study—I have a few copies here, but it is a much more massive document than this—would have to conclude that if on the average a faculty member in the colleges is working, as they are in most of the critical categories, marginally above the 19- to 22-hour limits that are the maximum allowed by the contracts, there must be huge numbers of college teachers who exceed those maximum hours by a very large amount.

Mr. Nixon: As hard as university professors.

Mr. Allen: We will talk about them on another occasion.

The case seems so patently obvious that it is difficult not to suspect there is some other motive at work, some other concern at work in the ministry, in the minister's mind and in the Council of Regents' operations that lead somehow to ignoring the hard facts of the reports that lie on their tables and to which they have ready access.

Given that, it becomes even more astonishing to see in this bill that the minister is not prepared to use the instrument of binding arbitration with respect to all the issues at stake. The issues that can be settled readily, both on the council's side and on the union's side, are the ones that are going to binding arbitration.

However, the sticking point, the major one that cries out for arbitration is being governed by ministerial fiat, because that is what the minister's regulations are. She will send out a numbered regulation and tell them how to do it. The curious thing about the numbered regulation is, not only will its words follow the last offer of the Council of Regents, but it is almost a total duplication of what now exists in the colleges with respect to assessment, evaluation, appeal and arbitration of assignment work loads.

That tells us the Council of Regents, which did not want to move beyond or modify in any improved fashion the current contract, has got its way, both in the very words and in the lack of departure from the present contract.

12:30 p.m.

I could read off the sections that are so similar. They are right here in my hands, but I will not bother the members with them. If they had them in their hands they would be reading them and would realize that, clause by clause and almost word for word, here is the Council of Regents' last offer, here is the wording of the minister and the ministry, here is the contract with the description of the instructional assignment committee arrangements.

The whole thing is a charade. One dances from the contract to the council, from the council to the ministry and the minister, and back again. It is something like the dance going on in the college system in terms of the funding principles and the kind of education that is beginning to happen there as a result of years of underfunding, massive crowding and overworked faculties.

There is a game of seeing how many students can dance around a single test tube in a laboratory. It is not unfair to say that. I have cases and cases I can give the minister.

The class size increased from 40 to 70 last year. Lab classes which in the previous year were divided into groups for safety and tuition are no longer divided. This results in four students per machine, which is considered to be unsafe.

The chem lab last year had four students per set of equipment; this year, there are seven students per set. Some teachers have been required to send students to computer-assisted instruction on the course requirements. Nursing students, for example 170 in first year, have to complete an English component on the CAI system. The problem is there are only nine CAI terminals for these 170 students. Of these, only four are working.

It is a crying shame; it is a scandal. This party assumed the minister would have laid before us a piece of legislation that held out some hope of significant resolution of the major issue at stake. In effect, all she has done is relegislated the past contract into existence, borrowed the language of the Council of Regents with respect to its solution of the problem and put it into her bill. That is the sum and substance of the matter.

This is not good enough; it is no solution. We do not want to see a first-year student in the college system, whose studies are disrupted by a strike this year, being disrupted next year and the year afterwards by a strike. However, that is precisely what this legislation lays the base for. This continuing unrest, division, turmoil, strike and contention in the whole college system is not only disruptive to the students, it also absolutely

undermines the whole teaching process and what the colleges finally are all about.

This college system has had great potential and it still has. It is doing a lot of good things and a lot of necessary things. However, it is becoming prejudiced. Its capacity to produce results is slowly being marginalized and eroded. It is a very serious situation. That is precisely why unrest of this kind boils up in our midst and we face a significant strike over a major issue in the educational process.

Let me simply reiterate, therefore, that we find this piece of legislation problematic legally. We think it will be in difficulty before the courts as the restraint legislation was with regard to fundamental principles in our Charter of Rights and Freedoms.

We believe it institutes an invidious principle whereby a minister, having been engaged with a public sector employer and supporting him hook, line and sinker, turns around and uses both the legislative process and a partial application of the arbitration process to establish the position of one party to the dispute as the resolution of that problem.

We further find that the bill, in its implications and its results, will do the college system no good. As we legislate teachers back to work and as we get students back into the classrooms, we have to be concerned that what they are going back to is something they, too, will be able to respect. I submit this bill provides no basis for that.

Hon. Mr. Drea: Mr. Speaker, Bill 130 is fair; it is equitable. Indeed, it reflects the generosity of the minister under the circumstances because there was great pressure for her to be much harsher.

Bill 130 reflects the maturity of the minister, her patience and her leadership. Once again, it emphasizes the very wide acclaim by her colleagues that she is the finest minister of post-secondary education in Canada. The personal diatribes and the vicious personal attacks on the minister only underline the immaturity and the irresponsibility that come with a knee-jerk ideological response to an issue, however great or difficult or complex it might be.

I support the passage of this bill on behalf of the students of the community college system of this province.

Mr. Conway: Mr. Speaker, I would like to speak in concluding this round of the debate on Bill 130. I have listened with great interest to the contributions of all honourable members. I was particularly struck by some of the observations of

the member for Hamilton West (Mr. Allen), whom I greatly respect on these matters of post-secondary education. I was also struck by the observations made by some of his colleagues last evening, more particularly the comments of the member for Nickel Belt.

I do not intend in my summary remarks to replough the ground that has been much travelled upon in the past 24 hours. I think it is fair to say we are now faced with this legislation because over the past six months there has been a growing unhappiness between the management team and the union. These are the two parties charged with resolving matters concerning quality of education in our community colleges.

It is also fair to say the well has been poisoned in some ways between the management team and the union. I and my colleagues had hoped that would not be the case. We had expected, had prayed for, the resolution of this unhappiness at the negotiating table. Over the past three weeks and one day we have tried to encourage a climate of conciliation, both in the Legislature and in the negotiations. We did this in the hope and expectation we would get the preferred result, which in our view is the negotiated settlement.

My colleagues the member for Windsor-Sandwich (Mr. Wrye), the member for London North (Mr. Van Horne), the member for Kitchener-Wilmot (Mr. Sweeney) and my leader have all referred to the very important role our community college system plays. But we are now faced with the adjudication of competing rights. My friends in the New Democratic Party are quite right in drawing our attention to the rights of free collective bargaining and we are very sensitive to that.

We have tried to the best of our ability to respect those rights. We understand them, perhaps not with the same degree of association as do our friends in the New Democratic Party. However, I believe we have tried sincerely to respect the very important rights of free collective bargaining as those rights affect the 7,600 community college teachers. In my view, they have very properly drawn to the public's attention their very legitimate concerns about instructional arrangements, quality of education, work load, etc.

12:40 p.m.

But there are other people involved in this and there is another right. That is the pre-eminent right for us now, the right of the three quarters of a million students in the community college system of Ontario. What we as responsible legislators must do now, it seems to me, is

adjudicate between those rights. We certainly understand and respect the rights of the striking teachers who have very properly brought to this Legislature and the public beyond their very justified concerns about the quality of education.

There is no doubt in my mind, as there appears to be in the mind of my honourable friend the member for Nickel Belt, about the jeopardy in which thousands of students in the community college system now find themselves. I can speak only as one member who represents a constituency in which there is a campus of one of our very distinguished community colleges. I speak about the Pembroke campus of Algonquin College based in Ottawa.

Almost to a person, the scores of students and instructors at that campus have indicated to me jeopardy is now critical. I have seen in the public press and I have had it reported to me elsewhere and from other people that it is the same at other institutions. I think of Mohawk College in Hamilton, for example, where it was indicated the other day that we are now at the very critical stage. Unlike my friend from Nickel Belt whose view I respect, I believe we must now act because the jeopardy of three quarters of a million students forces us to act in favour of and in exercise of the higher principle, which is the public good of those people.

Some might say it is something of a Benthamite calculus to suggest that. I believe we must respond to the higher order here, which is the jeopardy and rights of those students, not only their educational rights but their economic rights. I have people by the score who have come to me, not only nurses or forestry technicians in my community, but countless others, and said: "Listen, we understand and we believe we are sensitive to the teachers' point of view, but something must be done. Not only my education but my job is at stake."

What saddens me about this jeopardy question is that scores of those people are leaving the system these days and may never return. That is a matter of urgent and pressing concern for all members of this Legislature. I repeat that the striking teachers have very justifiable concerns that must be addressed. The minister has set out her position in Bill 130. We as a Liberal opposition have another position to which we will speak in the committee stage. We think ours is a better way. We believe the rights of the three quarters of a million students are now and must become the priority concern for members of this Legislature.

It is in the adjudication of those competing rights—the rights of the striking teachers and the rights of the three quarters of a million affected students—that we now say the public interest, the students' rights and the students' jeopardy unhappily force us, as a matter of urgent and pressing concern, to support the principle of Bill 130, which in our view is back to work for those three quarters of a million students and their 7,600 instructors. After allowing three weeks and one day for the pressures of the strike environment to force a settlement at the negotiating table, tragically one has not happened.

I conclude my remarks with this. We are very hopeful our friends in the government will look seriously at our amendments to deal with the very serious long-standing and legitimate concerns, the reasons for the strike, which the instructors, 7,600 strong, have properly brought to our attention. We hope that when the amendments are put, they will be favourably responded to by the government.

Hon. Miss Stephenson: Mr. Speaker, I should like first to thank all the honourable members who have participated in this debate on second reading of Bill 130.

Yesterday in my opening statement, which laid out the principles of the bill relatively clearly, I thought it was clearly stated that instead of having the committee structures as appendages, they would be amendments to the bill on our behalf. I hoped everyone would understand that and I regret that it has led to some confusion.

It obviously led to the frequently compounded misunderstanding that the *modus primus* of the solution related to work load was the expansion, strengthening and legislating of the local college instructional assignment committees. That is not the prime means of attempting to resolve the work load problem.

It is without doubt, precisely as my friend the member for Renfrew North (Mr. Conway) stated, absolutely essential at this point to begin the process of ensuring that the colleges are open and that the educational programs are available to students. As he said, and I can concur vigorously, it is not only the educational concerns of the students that are at risk, but also the economic concerns of the students. In some cases, the future careers of some of the students are at risk as well. I believe we cannot toy with those matters at all.

We did try very diligently to give the collective bargaining process an opportunity to resolve this. I hoped, as I have always hoped, that a negotiated

settlement would be achieved. As a matter of fact, in this province we achieve something in the order of 3,500 negotiated settlements per year, as opposed to the one or two which have been legislated settlements annually over the past two or three years. It seems to me that record is reasonably good.

I would like the members to be aware of the rationale for the introduction of the special committee that is to be established, the task force, with the independent chairman, one representative of management of the college system and one representative of the union.

In 1974 Mr. Justice Estey was charged with the responsibility of attempting to develop an arbitration award on the issue of work load within the college system. Throughout all those proceedings, Mr. Estey was frequently noted to remark that he was very much concerned that this issue could not be arbitrated appropriately when it was so complex and when there was so little quality information upon which to base his decision. As a result, the arbitration has been less than satisfactory to both sides.

It has worked relatively well in some instances and badly in other instances. However, because it is not only a very complex issue, but also because in this set of negotiations the parties are very far apart on the principles—they are so far apart as to have something of a chasm between them at present about the basis on which any arbitration might be made—there is a set of facts about which there is total confusion, but actually complete disagreement in most circumstances.

As a result of these two significant factors, it seems to me unrealistic to suggest that any normal human arbitrator would be able to resolve the problem within the time frame usually given under the Colleges Collective Bargaining Act for arbitration in the college system.

We felt it would be much more equitable to both sides, but particularly to the union side, if there were an opportunity for that task force, that special committee or commission, to be established to hear from all the concerned parties, including students, teachers, administrators, parents and boards of governors of colleges, in order to develop a set of recommendations upon which negotiations could be carried out in the next round.

That is precisely why the time frame has been established, so those recommendations will be in place in time for a reasonable negotiation for the next contract for the colleges of applied arts and technology in this province.

12:50 p.m.

Everyone in this province has pride in that college system. I believe the achievement of the system is noteworthy. It is probably one of the most highly touted groups of achievements that any jurisdiction in the world has the honour to have at the present time. The commitment of everyone in the college system to that set of achievements is noteworthy as well.

I believe there is commitment on the part of all of the teachers, just as I believe there is commitment on the part of administration, the boards of governors, the Council of Regents and everyone who has anything to do with the system. I know there is commitment on the part of the students.

Therefore, I would ask my colleagues in this House to honour that commitment by attempting now to provide a reasonable solution that will ensure the needs of the students are served and that we do find an equitable foundation for appropriate negotiation of the issue of instructional assignment, which I hope that interesting reporter in one of our newspapers will understand is a euphemism or another word for work load.

Mr. Laughren: Mr. Speaker, on a point of order: In order to clear up some confusion before we head into clause-by-clause debate and before the vote occurs, I wonder if the minister would clear up the whole story surrounding the remarks of the member for Timiskaming.

The Acting Speaker (Mr. Robinson): That is not a point of order. However, I am sure the minister heard your comment.

Hon. Miss Stephenson: Mr. Speaker, I hope we will have an opportunity to settle this in a way that will ensure there is a sound foundation for negotiating the issue of instructional assignment, which, as I was saying, is really another word for work load. It is the phrase that is used in the contracts of the colleges with their faculties for that area of activity and, therefore, is not something that was just dreamed up out of the air.

I think the route we have proposed, as a result of the amendments that will be introduced in committee of the whole, will provide that foundation appropriately and will ensure we have the right kinds of negotiations, the right kinds of attitudes and the right kind of ambiance in the college system in the future.

In response to a point of the member for Nickel Belt, which has nothing to do with the principle of the bill, whatever was reported in the newspaper, which I heard about, I did not say.

The House divided on Hon. Miss Stephenson's motion for second reading of Bill 130, which was agreed to on the following vote:

Ayes

Andrewes, Ashe, Baetz, Barlow, Birch, Bradley, Brandt, Conway, Cousens, Cureatz, Drea, Eaton, Edighoffer, Elgie, Elston, Epp, Eves, Fish, Gillies, Gordon, Gregory, Haggerty, Hennessy, Hodgson, Jones, Kells, Kennedy, Kerr, Kerrio, Kolyn, Lane, McCaffrey, McCague, McGuigan, McKessock, McLean, McNeil;

Newman, Nixon, Norton, O'Neil, Peterson, Piché, Pollock, Ramsay, Reed, Riddell, Robinson, Rotenberg, Ruprecht, Ruston, Scrivener, Shymko, Snow, Spensieri, Stephenson, B. M., Sterling, Stevenson, K. R., Taylor, J. A., Treleaven, Van Horne, Walker, Watson, Welch, Wells, Williams, Worton, Wrye.

Nays

Allen, Breaugh, Bryden, Charlton, Cooke, Di Santo, Foulds, Grande, Laughren, Lupusella, Mackenzie, Martel, McClellan, Philip, Rae, Swart, Wildman.

Ayes 68; nays 17.

Bill ordered for committee of the whole House.

BUSINESS OF THE HOUSE

Hon. Mr. Wells: Mr. Speaker, I would like to move that the House continue to sit beyond one o'clock today.

Motion agreed to.

Mr. Foulds: Mr. Speaker, before we go into committee, I would like to rise on a point of order to correct the record. This morning I used the figure of 60,000 jobs when talking about what the former Treasurer, the member for Muskoka (Mr. F. S. Miller), had said about the increase in going to world prices and what it would cost this province. Instead, on December 13, 1979, in his vicious attack on the Conservative federal budget, he said it would cost Ontario 20,000 jobs.

House in committee of the whole.

COLLEGES OF APPLIED ARTS AND TECHNOLOGY LABOUR DISPUTE SETTLEMENT ACT

Consideration of Bill 130, An Act respecting a Labour Dispute between the Ontario Public Service Employees Union and the Ontario Council of Regents for Colleges of Applied Arts and Technology and the Boards of Governors of Colleges of Applied Arts and Technology.

Mr. Conway: Mr. Chairman, I have an amendment to the preamble.

Mr. Chairman: The preamble is always dealt with last.

Are there any comments, questions or amendments on section 1?

Section 1 agreed to.

Mr. McClellan: Mr. Chairman, for one thing, it is impossible to hear in the assembly. Second, where are we?

Mr. Chairman: Section 1 was carried.

Mr. McClellan: I was discussing a matter with the government House leader with respect to stacking the vote. Was there an amendment on the preamble?

Mr. Chairman: Yes, but we were reminding ourselves that comes last, after the sections.

Mr. McClellan: The preamble comes last. Thank you.

On section 2:

Mr. Laughren: Mr. Chairman, I want to comment on clause 2(1)(b), if there is no one before that.

Mr. Chairman: We are considering section 2 as a whole.

Mr. Laughren: Clause 2(1)(b) reads, "Every employee shall report for work and shall perform the duties assigned by the employer including duties assigned in order to afford students the opportunity to complete courses of study affected by the strike."

I would like to know from the minister precisely what she means by that clause. If management at any given community college determines it is necessary to work on a Saturday, during the Christmas break, during the traditional winter break at the college or beyond the normal end of the academic year, does this section mean the employees must do that, according to the dictates of the management at each college?

Mr. Conway: Mr. Chairman, I was going to draw the minister's attention to the same section. I want to associate myself very briefly with the concern of the member for Nickel Belt (Mr. Laughren). I apologize to my friend the member for Bellwoods (Mr. McClellan); I was going to move on this question as well. I want to indicate I also had those concerns and would appreciate the minister's response to that.

Hon. Miss Stephenson: Mr. Chairman, the basis for the section is to try to ensure there will be additional instruction provided for those students who require it to achieve their courses of study during this portion of the year or during the complete year. From the information available

now, each college is developing its own program. Each college will be discussing the most appropriate way to implement this with the instructors involved on their return.

I am informed that almost all courses can be completed with a few additional hours. Some may be attached to one school day per week or something of that sort. There is no intent to infringe upon those legally constituted vacations that are part and parcel of the negotiated agreement or the contract between the faculty members and members of the administration of the college system.

I gather there is intent in some colleges to utilize the bulk of the traditional winter break, which is not one of the areas negotiated between the employees and the employer. There is some suggestion that for a very few programs there may be some requirement to extend beyond what has traditionally been the end of the school year for four or five days, which means it probably would be mid-May by the time the students complete their courses in those areas of study.

This does not apply to all of them; it applies to a relatively small number of them. It provides the basis upon which the discussions can take place and ensures additional instruction will be provided by the instructors in the college system.

Mr. Laughren: I am somewhat dismayed on a couple of points. The minister indicated an additional day per week. I did not quite understand—

Hon. Miss Stephenson: No, I did not say that.
1:30 p.m.

Mr. Laughren: I thought she did.

Hon. Miss Stephenson: No.

Mr. Laughren: All right.

The other thing bothering me is that I hope I can make the assumption that, if extra time is required on the part of the instructors, it will be worked out in a mutually agreeable fashion and will not be dictated by the management of the colleges. If the minister wants to exacerbate the problem, she is going about it in the right way if she says it is the right of the college to tell the instructors exactly when they will teach the extra days and how many extra days they will teach.

I do not have to go back very far to recall a disruption in the collection of garbage in Etobicoke. When the strike was over and the workers went back to work they were told, "We have to get caught up," and they were paid time and a half to do it. It went over the regular number of hours. I am wonder whether the

minister is waving a red flag at the same time as she is trying to resolve the dispute.

The minister would be wise to think seriously about this, because the clause states that "every employee shall report for work and shall perform the duties assigned by the employer..." There is nothing in the section that says it should be agreed on by the two parties involved, management and the union. I will not dwell on the rather contradictory statement of the minister that there really is not much to worry about because there will not be much extra work required. At the same time, she regards it as such a crisis as to bring in back-to-work legislation.

I would like some assurance from the minister on the need to make it mutually agreeable.

Hon. Miss Stephenson: Mr. Chairman, the wording of this phrase may appear to be somewhat peremptory. It was not intended to be; it was simply intended to ensure the academic year of no student would be lost as a result of the circumstances that have been in existence, and to try to ensure there would be provision of the appropriate program to make that assurance to the students.

It would be fruitless to suggest the students would be going back and the program would be provided if there were not some means of ensuring those responsible for instruction were going to be there to provide that instruction for the program.

Therefore, it was considered necessary to have a clause that, it was my understanding, was going to be subject to the same kind of routine as are all other instructional assignments. It is provided to the employee, the employee responds to it and then, if there is discussion about it, the discussion is carried out with the administration of the college in a way that tends to resolve any difficulties which arise.

Mr. Laughren: I cannot let this go by. The minister understands we have a group of instructors who have gone on strike basically because of the work load issue and the quality of education issue. They are out of work for three weeks. They come back against their will because of this back-to-work legislation. They are then assigned by the college an additional work load on top of their regular duties, as the minister would say, to allow students to make up their academic year.

There is no doubt in my mind that the individual instructors will know what is necessary to have those students complete their academic year. I tried to make that point in the debate last night, but I do not think the minister

was listening closely. This section is too one-sided. One cannot say this to the employer and employee. The employer is then going to be in the position of saying that, despite the fact they have had a three-week work stoppage because of the work load question, he is now going to be able to lay an additional load on the instructors.

I ask the minister to think seriously about this and to accept an amendment to ensure the decision on any extra time must be made by a mutually agreed upon route. This section is simply unacceptable. The minister used the word "peremptory" and I would agree with her. By leaving the section the way it is now, that is going to be a hot issue in many of the colleges, if not all of them. If the minister wants this to work, she would be wise to accept an amendment that states the idea of working extra hours or days will be mutually agreed upon. Will the minister accept that?

Hon. Miss Stephenson: At the moment, I do not have an alternative wording. I must admit I recall all too vividly the circumstance involving students very close to the riding the honourable member represents. We attempted to determine there would be some mechanism in the final negotiated agreement to ensure the students were provided with the additional instruction, particularly so as not to miss their grade-13 year. It was suggested there should not be any such clause in the agreement, that we could simply trust this would happen. We trusted it would happen and absolutely nothing happened.

Interjection.

Hon. Miss Stephenson: In Sudbury.

Mr. Laughren: It did happen.

Hon. Miss Stephenson: A significant number of students did not have the additional or extended instruction that provided them with the program. We had some difficulties in resolving the issue because in that circumstance there was also a pink listing for summer courses. So nothing was provided.

Mr. Laughren: The minister is being grossly unfair.

Hon. Miss Stephenson: No, I am not.

Mr. Laughren: Yes, she is and I will tell her why.

Hon. Miss Stephenson: The member should tell me how he would resolve it.

Mr. Laughren: I would resolve it by saying it must be mutually agreed upon.

To go back to the minister's point, when that secondary school strike occurred, it did affect a

large part of my riding. It was in the spring months, February, March and April; or January, February and March.

Hon. Miss Stephenson: February, March, April, May.

Mr. Laughren: It was three months. When that strike occurred the quality of applications to Laurentian University, according to its president, who I am sure is a close friend and confidant—that is the former president of Laurentian, Dr. Henry Best—stated the university had a higher quality of applications than it had in previous years. So that was not a problem.

The teachers did work with the students to make sure they got their academic year. That was not a problem. What the minister has to understand is she can put her faith and trust in the instructors in this situation. They will work with the students to make sure they get their academic year. There is a professionalism there. The minister seems to think it is resident only in the medical profession. It is there in the teaching profession too, and it is time the minister understood that.

Unless the minister puts in this section that any agreement on extra days to allow students to make up their academic year shall be agreed upon by both the instructors, through their union, and the management of the individual colleges, I believe very strongly she is asking for serious trouble.

Hon. Miss Stephenson: The member obviously does not know I have a high degree of regard for the professionalism of very large numbers of teachers in this province. I happen to have four in my own family and I know how professional they are.

I agree that in most circumstances—in fact, probably in all circumstances—that will prevail, but it seems to me it is necessary that there be some mechanism to ensure that no student is going to lose his or her academic year. We must have some mechanism.

Mr. Laughren: It is called trust.

Hon. Miss Stephenson: I am perfectly happy to trust, but I would like to have some assurance that what I am trusting is going to happen.

Mr. Laughren: The minister wants a law instead of trust.

Hon. Miss Stephenson: No. The members opposite are the ones who want laws about everything.

1:40 p.m.

Mr. Rae: Mr. Chairman, from my experience in this House, the minister has been responsible

for more arbitrary, peremptory legislation than any misdirected Socialist could ever conceive of in his or her worst hours. This is yet another example of that.

Why does the minister not accept wording such as the following? “The parties will undertake to ensure that no student shall lose his or her academic year or progress as a direct result of this dispute.” What would be wrong with that? Would it not be reasonable? If that is the objective, if that is what the minister is really concerned about, why does she not accept that as an amendment?

I would move the wording I have just articulated as a result of the concerns expressed by the member for Nickel Belt I would move, Mr. Chairman, as an amendment that section 2—

Mr. Chairman: May I interrupt the member, please? If you are making an amendment, it has to be in writing. Would you supply us with a copy?

Mr. Rae: I will supply you with a copy, but it is not complicated. I just drafted it now.

Mr. Chairman: Mr. Rae moves that clause 2(1)(b) be deleted and the following substituted therefor:

“The parties will undertake to ensure that no student shall lose his or her academic year or progress as a direct result of this dispute.”

Hon. Miss Stephenson: Mr. Chairman, I wonder if the honourable member might consider seriously the amendment of clause 2(1)(b) to read, “every employee shall report for work and shall perform the duties assigned by the employer,” and then a clause (c), which would state clearly that the parties will work together to ensure that no student loses his academic year, or will provide the program to ensure that no student loses his academic year.

Mr. Rae: Do you want to keep clause 2(1)(b)?

Hon. Miss Stephenson: I think under the terms of legislation of this sort it is necessary to do so.

Mr. Laughren: Mr. Chairman, the problem with this wording is that an obstinate employer could still interpret this clause, “perform the duties assigned by the employer,” to mean the employer could still assign duties that went beyond the normal course of events and could assign, for example, weekend classes and so forth; whereas the section proposed by the member for York South makes it clear it is a mutual responsibility to ensure that students do not lose their academic year.

The minister is going to cause confusion between the two sections if she leaves them the way she proposes to make them. You could interpret those two sections differently. I do not think that is what she really wants to do, but that is going to be the result. Does the minister understand me?

Mr. Rae: What if we left in the wording "every employee shall report for work and shall perform the duties assigned by the employer" and stopped it there? That is not saying anything that you do not already have to do.

Mr. Conway: Mr. Chairman, if I may just intervene, I well appreciate the point that the members from York South and Nicket Belt are trying to make. It finds favour with us. I do think there is the basis here for an understanding and an accommodation. It would help, of course, to see in writing exactly what is being proposed.

We are sympathetic to the concern that there be a consensus between the two parties about how the academic and instructional year is now going to proceed, and that is the point we would like to see clarified. We are quite agreeable to any amendment that deals with that.

Mr. Chairman: Just as a thought to the members, you will recall we had an occasion the other evening on which we found it helpful to have some legislative advice and we stood the item down and came back to it later. Is that perhaps a thought? Then we can come back and discuss it. Agreed? Agreed.

Mr. McClellan: Mr. Chairman, I wonder if I could ask for your indulgence and that of the House for a moment. During the period when section 1 carried, I was engaged in a conversation with the government House leader with respect to the ordering of the votes this afternoon and I missed the carriage of this section.

I had a couple of questions I wanted to ask on the definitions section, and I would appreciate the opportunity to raise those with the minister with the consent of the House.

Mr. Chairman: Is there unanimous agreement to reopen section 1? Agreed.

Mr. McClellan: I do not really need to reopen it, but I would like to be able to ask the question. It relates to a point I tried to make last night in the second reading debate. The definitions section sets out that there are three parties being discussed during the course of the bill: The council, meaning the Council of Regents; the union, meaning the Ontario Public Service Employees Union; and the minister, meaning the Minister of Colleges and Universities. In clause

(g) it says, "'parties' means the union and the council." But there is a tripartite distinction between the minister, the Council of Regents and the union.

My problem is very simple and I would like an answer to the question. Why is it that the chairman of the negotiating team for the Council of Regents is Mr. Ian L. McArdle, who is also, I believe—and I misspoke myself last night—acting manager of the staff relations branch of the Ministry of Colleges and Universities? In other words, he is a management employee of the Minister of Colleges and Universities.

Why was a management employee of the Minister of Colleges and Universities acting as the chairman of the negotiating team for the Council of Regents during the course of the negotiations, in which the minister is claiming that she herself was an unbiased, neutral third party?

Hon. Miss Stephenson: Mr. Chairman, the act provides that the—

Mr. McClellan: What act?

Hon. Miss Stephenson: The Ministry of Colleges and Universities Act, in the section related to the colleges of applied arts and technology, provides that the Council of Regents will function in a number of ways, and one of the ways in which it functions is in being responsible for the negotiations between the union for the employees of the colleges and the colleges themselves. Provision is made under that act for the establishment of the Council of Regents.

Through a memorandum of understanding with the ministry, the Council of Regents has a very small staff, and the staff that is provided to it is provided by the Ministry of Colleges and Universities. The staff relations branch within the Ministry of Colleges and Universities has always provided that kind of support to the Council of Regents for the purposes of negotiations. They function on behalf of the Council of Regents at that point and during all of the negotiations.

Mr. Rae: So they take their hat off.

Hon. Miss Stephenson: They are responsible for ongoing relationships within the college system and they function almost totally within the area of relationships between the colleges and the colleges' employees. But they are paid by the Ministry of Colleges and Universities rather than by the Council of Regents because that is the traditional, established way it has been done.

I can tell members quite honestly there is merit in careful re-examination of the mechanism of

negotiating in the college system, and it is a matter that will be pursued immediately this dispute is completed.

Mr. McClellan: I appreciate the minister's response. I assume the minister will understand that it is impossible to—

Hon. Miss Stephenson: Confusing.

Mr. McClellan: It is not just confusing. It is one of the things—there are a number of others—that casts doubt on the credibility of the minister's assertion that she was somehow neutral during the negotiations and was not herself a party to the dispute.

One of her own management staff was chairing the negotiation team for one of the—

Hon. Miss Stephenson: But reporting to the Council of Regents.

Mr. McClellan: I do not know. I do not suffer from schizophrenia; neither does the minister and, I am sure, neither does Mr. McArdle.

1:50 p.m.

Mr. Rae: What is your problem?

Mr. McClellan: Whose problem? Mine or hers?

I am sure Mr. McArdle does not have a double personality either. Mr. McArdle has a responsible management position as the acting manager of the staff relations benefits section of the ministry and is one of the ministry's senior employees. The minister cannot ask people to accept these kinds of roles. I assume she will proceed quickly to review that, but it is an intolerable situation.

Hon. Miss Stephenson: That is not the only thing we are going to review.

Mr. McClellan: I should hope not. I do not want to hammer this point to death, but I do want to state our concern that at the time the minister was in the House on Tuesday, November 6, at 3:30 p.m., telling us there was light at the end of the tunnel, the acting manager of her staff relations branch, chairing the negotiating team for the Council of Regents, was busy preparing a press conference. At precisely the same time the minister was in here telling us one thing, her employee was out there organizing the press conference, having terminated the negotiations.

Mr. Nixon: Let us go over that point a couple more times.

Mr. McClellan: Perhaps then even the member for Brant-Oxford-Norfolk (Mr. Nixon) would understand it.

If the former leader, the real leader of the Liberal Party, does not think it is important that ministers—

Mr. Nixon: On a point of order, Mr. Chairman: Just so the honourable member will not unintentionally mislead the House, I simply want to bring to his attention that the matter to which he is referring was raised on a previous day as a very heated and vehement point of order. It has been raised, along with spitting in the face, by about five of his colleagues in their other comments. Now we have graciously allowed him to return to section 1 because he missed it in a previous debate and he is hashing over that old crap.

Mr. Breaugh: Is that parliamentary?

Mr. Chairman: I do not think so.

Mr. Kerrio: No, but it is very descriptive.

Mr. Nixon: Make that straw.

Mr. McClellan: I do not know what has made my honourable friend so prickly and unpleasant.

Mr. Nixon: I am getting bored with the member's repetitive approach to this bill.

Mr. McClellan: Why does the member not go out and have a good dinner somewhere if he is so bored?

Mr. Nixon: We could have had the kids back at school today, rather than listening to the nth review of the question.

Mr. Chairman: Order.

Mr. McClellan: It has to do with a crucial point about the reliability of information provided to this House in ministerial statements. It may not be important to anybody else, but it is important to me.

Mr. Nixon: In his chicken-hearted way, he is saying the minister's comments are not reliable.

Mr. McClellan: They were not accurate.

Hon. Miss Stephenson: They were based on absolutely accurate information.

Mr. McClellan: They were totally inaccurate and the minister's own management employees were behaving in a completely opposite manner to the way in which she had described them to us in this House.

Interjections.

Mr. McClellan: If the members would just be quiet for another 15 seconds, I am not going to hammer this point to death, but simply say again—

Mr. Nixon: It was dead two days ago.

Mr. McClellan: The member was dead two days ago.

Interjections.

Mr. Chairman: Order.

Mr. McClellan: I would have been finished three or four minutes ago if my honourable friends would just go and get a pastrami sandwich or something. I do not know what ails them.

I would like some undertaking from the minister with respect to when she will be in a position to report to us the results of the review she has indicated she is going to undertake. Can she advise us when she will manage to separate herself clearly, as Minister of Colleges and Universities, from the management team of the Council of Regents?

Hon. Miss Stephenson: I would hope early next year.

Mr. Conway: Can I get the minister to repeat her last answer? I did not hear it.

Hon. Miss Stephenson: I was asked when I would report on the review that will be carried out. I said it will begin as soon as this whole area of negotiation is settled.

Mr. Chairman: Section 1 was carried. We agreed that the member had a question and we dealt with that. We are on section 2.

Hon. Miss Stephenson moves that clause 2(1)(b) be amended by inserting after the word "assigned" in the third line, "by mutual consent in order to afford students the opportunity to complete courses of study affected by the strike."

Hon. Miss Stephenson: Does that solve it?

Mr. Laughren: That is agreeable.

Hon. Miss Stephenson: Fine. Can that be considered an editorial change, adding that phrase "by mutual consent"?

Motion agreed to.

Mr. Rae: Mr. Chairman, I do not want to interrupt, but does that mean the minister does not want to accept our additional clause with respect to the assurance about students not losing their year; or does she not see that as necessary?

Hon. Miss Stephenson: I think it is probably redundant, as a matter of fact.

Mr. Allen: Mr. Chairman, would the minister clarify the meaning of clause 2(1)(d) as it pertains to peaceful picketing. The sequence of nouns and modifiers does not entirely make it clear to me that an employer or officer, etc., of the council, for example, or of the union, has the right to picket peacefully. Could that not be interpreted as saying the council has charge of the colleges and therefore all faculty members are employees of the council? Is it saying, therefore, their right to picket peacefully is somehow being made illegal by this provision?

I assume it remains in law that any member of the faculty has the right to picket peacefully on any subject he wishes to picket about.

Hon. Miss Stephenson: Mr. Chairman, the word "picketing" in this relates to picketing that would accompany a withdrawal of service or the establishment of a sanction in a major dispute. It does not necessarily relate to someone who is simply carrying a placard.

Mr. Rae: The minister, on this marvelous Friday afternoon, is in such a conciliatory mood. Why not simply add the words "in connection with this dispute" at the end of that sentence?

Hon. Miss Stephenson: I think that would be all right.

No? Legislative counsel suggests it would probably be more effective to take out the word "picketing." Is that agreeable?

Mr. Chairman: Hon. Miss Stephenson moves that clause 2(1)(d) be amended by deleting the word "picketing" in line 4.

Mr. Allen: Mr. Chairman, there are also the words that follow, "or any similar activity." Does that mean there is a similar kind of activity one can engage in that is somehow approximate to a lockout or a strike?

Hon. Miss Stephenson: Yes, I would think so.

2 p.m.

Mr. Allen: Okay.

Motion agreed to.

Section 2, as amended, agreed to.

On section 3:

Mr. Conway: Mr. Chairman, I have a question. I think there has been confusion in the public press and in the minds of many who read the public press about exactly what the levels of increases are that are provided for in subsection 3(1) of this bill, the interim awards.

I believe the minister has indicated to the public press that the interim increase in salaries and rates of wages for the striking teachers' group is four per cent.

Hon. Miss Stephenson: Total.

Mr. Conway: That is what I want to clarify. I have had incidental discussions with some people in the teachers' group. They have done some calculations. I know for a teaching master who is at step 16, as indicated in (a) of the schedule contained on page 7 of the bill, relative to subsection 3(1), the calculation was that it is a two per cent increase.

As a point of explanation, the minister might elaborate on what that schedule refers to with

respect to overall percentages and specific breakdowns. It might be helpful to clarify that.

Hon. Miss Stephenson: The total compensation package for this group of employees in the college system is to be, as a result of the generosity of the act, increased for an interim period by the amount of four per cent. What that does is to cover all the movement back to grid. Some of those have been interrupted, as the member knows, as a result of the two pieces of legislation before, plus a restoration of increment for all those in this area.

It means that some employees will have a salary increase during this interim period of approximately two per cent. They are the people at the highest end of the salary scale.

At the lowest end, I think the increase is something close to—I have forgotten and I cannot find the sheet, but I think it is about seven to eight per cent, if I am not mistaken, at the lower end of the scale. There is a variation. Some of them are at five, some at two, some at six and some at seven, but it does encompass the return to the grid for all who are in this bargaining unit; and a return of the increment for all of them as well.

The member will recall that some of them who were at \$35,000 or above were hit by Bill 179. That is restored within the percentage that is being allotted to this.

Mr. Rae: Mr. Chairman, I would point out to the minister that on the list of teaching masters and counsellors it is not only in the case of the people at step 16, who are making more than \$35,000, but even the minimum starting rate is increased by only two per cent. It is my understanding they were making \$22,035 and now they are making \$22,476. Am I wrong?

Hon. Miss Stephenson: I do not know for a fact, but I do not think that is correct.

Mr. Rae: My understanding is they were making \$22,035 and they are now being given \$22,476, which I calculate as being a two per cent increase. Have you a copy of the old grid?

Hon. Miss Stephenson: I had it but I cannot find it.

Mr. Rae: We could then make a comparison.

Hon. Miss Stephenson: What I have is a distribution of faculty on the salary grid. Forty-two per cent of the faculty are at the maximum and they will receive an increase of approximately two per cent.

Interjection.

Hon. Miss Stephenson: Okay, fine. The member is absolutely correct. I am looking at one which was made out for another salary grid

obviously. The salary increase at all levels is two per cent as a result of this. I am mistaken. I thought there was a variation, but the variation in actual fact occurs because some of them are restored to grid and some of them are restored to increment, which they had not had before. All of them get two per cent.

Mr. Rae: When the government ordered back the Toronto Transit Commission drivers, I think the interim increase was four per cent, if I am not mistaken. I am going by memory. I think the minister would agree that, while one cannot always buy goodwill, it does not hurt to show a level of generosity prior to the compulsory arbitration, particularly since people are being docked pay for the entire period they were out on strike.

I wonder if the minister would agree that the two per cent increase is pretty paltry when one considers the length of time the arbitration may take.

Hon. Miss Stephenson: There is a time limit on arbitration for the college system, as I am sure the member for York South knows. I am sure that time limit will be honoured.

Mr. Rae: It was my mistake to give the minister that out. Surely the minister would agree that in any terms the two per cent increase is rather paltry. Surely she recognizes the arbitrator is bound to give an increase that will be greater than two per cent.

Under the proposed salary schedule set out in the management's offer of September 25, there is an overall increase of five per cent that is divided as follows: 28 per cent of teachers would receive a 10 per cent increase; 23 per cent would get a 7.7 per cent increase; six per cent would get a 6.2 per cent increase; and 43 per cent would get a three per cent increase. That is because of the numbers of teachers who are at the higher levels in the grid.

I think two per cent is pretty cheesy.

Hon. Miss Stephenson: The other two per cent is spread over all the members of the bargaining unit because they will all achieve an increase in the return to grid and in the increment area. I would remind the member that the Inflation Restraint Board guidelines require that the total bargaining unit be costed. It is within that four per cent costing that this has been established. We wanted to provide some flexibility for the arbitrator.

Mr. Conway: I am sorry I missed some of the exchange between the member for York South and the minister.

Getting back to her four per cent of the overall compensation package increase, are we to believe the minister is including as part of that four per cent moneys that are now payable, particularly to the upper-scale instructors, because they have come beyond the control period set for them by Bill 179? Is this part of her calculations? Is this how she gets her four per cent?

I may not be making my question quite clear. I do not know whether she has answered this in responding to the leader of the New Democratic Party, but I am trying to determine her overall four per cent increase in the compensation package that is spoken to in section 3 of the bill and outlined in the schedule on page 7. Are we to understand that one of the inputs that allows her to get to a four per cent overall increase has to do with the inevitable consequences for the over \$35,000 group because they have, as of September this year, escaped the control year set for them by Bill 179?

Hon. Miss Stephenson: That happened automatically.

Mr. Conway: That is right, but are we factoring in those—

Hon. Miss Stephenson: We have to under the IRB.

Mr. Conway: I want to be clear. When we talk about four per cent, the minister is not suggesting this bill alone provides that four per cent, but rather to get to four per cent it includes what is necessary because of Bill 179?

Hon. Miss Stephenson: Right.

2:10 p.m.

The Deputy Chairman: Any further discussion on section 3?

Mr. Rae: I just want to make a point in connection with extra duties assigned and related to this question. It is one of these ironies that the teachers in a sense are now in the worst of both worlds. For some purposes they are to be treated as salaried professionals and for other purposes they are to be treated as employees, but in a sense they get the worst of both worlds.

If they were simply hourly rated employees, they would have an hourly rate and they would be paid overtime for work they do that is additional. In every industrial dispute of which I can think, workers go back into a plant and traditionally realize they are not going to get paid for the time they are out on strike, but are going to get a bit of overtime in order to make up for what they lost while they were on strike.

The teachers in this situation have really been stuck in the ear. All I would say to the minister is this. If it was her intention to order people back to work, it might have been fairer to all the parties concerned to say at the very beginning of the dispute, "We are going to order people back to work if this dispute goes on for too long." It would have been wise to have said that at the outset, to set that as a basic strategy of the government.

I think it would have been only fair. A number of teachers have said to me, and I am not talking about the union leadership, I am talking about the average teacher, "If the minister is going to order us back to work, if because of her involvement in the bargaining"—they feel she has some responsibility for the position of the regents—"they never intended to deal with the work load question, why did she not order us back to work two weeks ago?"

That is the frustration that is out there. It is the sense that they have come all this distance in time and lost three weeks' pay, and it is now legislated that they will lose that three weeks' pay, so they are no better off than they were at the beginning of the strike. They have not gained one thing.

I think the minister has to understand what that does to people's morale and sense of who they are and what they do. She is going to have to reckon with that for some time.

Hon. Miss Stephenson: I would like to respond by stating very clearly it was not my intention and never was my intention until Tuesday evening of this week to legislate anyone back to work. That was not ever in the mind of the minister. I think the member can ask several hundred people related to the college system about that resolve. I had no intention of legislating teachers back to work at the time the talks broke off and an impasse was declared.

It was my intent that we find a resolution to the problems and have a negotiated settlement. There was never any thought but that in my mind. All this has developed since an impasse developed on Tuesday evening.

Mr. Rae: Let me deal directly with that. I do not want to get into a semantic argument, but I will make this point to the minister. She surely must have known or should have known the issue in question was one of work load. I say to the minister in all sincerity that she should have sat down with the union at the very beginning of this dispute and said, "This is how far," because she was the *deus ex machina* in this whole thing. Either she did it directly or, if she did not think

she should do it directly, she should have told the Council of Regents to do it directly.

If the council had said, "We are prepared to move so far on the work load question and no further," at least at that point there would have been a clear understanding and a willingness to deal with the nub of the problem. Instead, I say to the minister, and I have talked to a number of people involved in this dispute, my assessment of the negotiations is that for the longest time there was an air of almost complete unreality about the discussion.

We are not coming to grips with the real issue at stake. To me that is what is unforgiveable about what has been allowed to happen. I mentioned this yesterday in my speech and I will say it again. I think it is appalling that a strike could have been allowed to go on for so long when there was no intention from the very beginning of the strike on the part of the employer, which is the government—frankly, the agent of the government, an extension of the government—to deal directly and frontally with the question of work load on any terms other than the terms it was prepared to impose.

That is what bothers me. If that had been the minister's position from the outset, at least she could have had the straightforwardness and the candour to say that to everybody involved.

Hon. Miss Stephenson: I would have the candour to say to everyone involved that that is an interesting description. From the reports given to me, it is my understanding that the negotiators for the Council of Regents suggested they were willing to negotiate any part of the contract. They were not willing to discuss only the union's formula for work load, which was set as a precondition for negotiation in almost all circumstances. I am sorry the impasse finally arose. I had truly thought there was some means of finding a solution.

However, at the present time we are in a different circumstance. We have passed that unfortunate occurrence and we should now try to get on with the job of solving the problems to get them back.

Mr. Allen: I would like to underscore what the member for York South has said and perhaps to add a point to it. The minister has been implicated in the council's position to the extent that the president of the Council of Regents could write to all the presidents and say—this is almost verbatim—that the minister has stated clearly her complete support for management's position.

She thereby provided the kind of backing to that party's position that made it almost impos-

sible for the union to get any resolution of the dispute from that point on in particular, and presumably earlier, since I expect that position had been communicated in other words earlier in the dispute. For the minister to have had that kind of involvement and been an agent in the prolonging of the dispute, which now will cost them money at her hand, is a rather strange position for the minister and the union members to be in.

She should perhaps pursue this clause in the same spirit of generosity with which she was prepared to amend the earlier clause with regard to the way in which assignments would be handled. Obviously, the assumption is that teachers are going to work co-operatively within the colleges to make up a lot of lost time. They will be going around the clock for some time catching up on the studies students have lost.

For her then to invoke this clause, which provides a kind of penalty on the one hand but no compensation on the other, strikes me as being a peculiar position for her to be in in making that kind of request of the college teachers through this legislation.

I, therefore, move that this clause be stricken from the bill. I want the minister to respond to this motion.

The Deputy Chairman: That is not a legitimate motion. The members should not vote for it.

Mr. Allen: If you will be proceeding not only clause by clause but subsection by subsection—

The Deputy Chairman: I am willing to help you out. We will do subsection 3(1) and then 3(2). Then you can decide what you are going to do.

Mr. Allen: I would like to hear the minister's comment on what I have just said.

The Deputy Chairman: The minister does not want to respond. Are we ready to vote on section 3? Let us take subsection 3(1) and then 3(2). Then you can have your motion in another way, reversed. Does section 3(1) carry? Carried.

All those in favour of subsection 3(2) will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Section 3 agreed to.

On section 4:

2:20 p.m.

Mr. Conway: Mr. Chairman, I have a question about subsection 4(1) of the bill, which says, "The Lieutenant Governor in Council shall,

upon the advice of the minister, appoint an arbitrator to examine into and decide upon the matters referred to in section 5."

I am interested to know why the minister, in appointing the arbitrator in this dispute, was not persuaded to proceed along the lines of section 23 of the Colleges Collective Bargaining Act, which provides for a mutual—what is the phrase I want—a mechanism for the appointment of an arbitrator or board of arbitration that would have been consistent with section 23 of the Colleges Collective Bargaining Act. The intention of that act is to allow both parties to agree on either a sole arbitrator or board of arbitration.

Hon. Miss Stephenson: This has come about as a result of negotiation or discussion in normal circumstances and has always prevailed in the past. The pattern which has been established in this kind of circumstance has been that the Lieutenant Governor in Council appoint the arbitrator when such legislation is passed. It is an interesting suggestion, one that will prompt me to consult with the leaders of the union and the leaders of the college system to try to find some mutually agreed upon names.

Mr. Conway: I really hope we could do that a little more forcibly. As members have pointed out—I think the leader of the New Democratic Party put the case very well in his most recent intervention—this very difficult, unhappy strike has now lasted 22 days. The 7,600 community college teachers have very properly brought to the attention of the community their concerns about work load and quality of education.

By my reckoning, they together have now lost something like \$20 million worth of income as a result of this. The minister shakes her head—

Hon. Miss Stephenson: I do not know.

Mr. Conway: Oh, all right. I have done some calculating and talked to some of the union leadership and our best guess is that the 7,600 striking teachers have, as of this day, forgone \$20 million worth of salaried income. That is a very considerable sacrifice for a cause they believe in very strongly.

As we find in reading Bill 130, certainly the criticism of the teachers' union is justified. When they look at this bill they say, "For what? We have no reason to believe that Bill 130 is a satisfactory resolution of the key question of instructional assignments"—read "work load." At least there is no resolution that is going to advance their cause in a meaningful way. We will have to deal with that in a moment with my amendments to section 5.

The minister has shown some goodwill this afternoon in trying to improve certain aspects of this bill. Surely in the interests of a return to a better climate in the community college system and between management and the union, we might give a clearer undertaking than the minister just offered on the appointment of an arbitrator. Surely we could invite both parties to agree on the arbitrator. A board of arbitration is not mentioned in this section of the bill.

Could we not advance the minister's initial undertaking to a more formal level and perhaps write something into this bill which indicates this with regard to an arbitrator? Could we not say the appointment of an arbitrator will be consistent with the spirit and intent of section 23 of the Colleges Collective Bargaining Act? I think the minister is interested in accommodating that spirit at least, and I am wondering if there is not a way we can work towards that, as another step towards better relations between both parties.

Hon. Miss Stephenson: We might say "upon the advice of the minister"—I do not know how we can work "consistent with the spirit of" into it. Is "consistent with the spirit of" an agreeable phrase to be included?

Mr. Conway: The minister might want to consider it for a moment and to consult with legislative counsel. Perhaps the leader of the New Democratic Party wishes to comment. There is no great rush, if consultation would advance this consideration. I would be, of course, quite amenable to that.

Hon. Miss Stephenson: I think I understand what the member is saying. One suggestion is that it could be after the minister has received the views of the council and the union about the appointment. What the member would really like to say is somewhat more consistent with what appears in the college relations act.

Mr. Conway: As I read section 23 of the Colleges Collective Bargaining Act—I could be wrong, and perhaps if I am I will be corrected—both parties must agree or nearly agree to the appointment of an arbitrator or a board of arbitration. I am very concerned that this very painful strike be resolved now in such a way as to restore a sense of fair play, to whatever extent it can be restored, and a sense of fairness in the mechanism that is going to be relied upon to adjudicate these very troublesome questions. That is the point I am trying to make.

Maybe my learned friend the member for York South can offer an opinion.

Hon. Miss Stephenson: We have one difficulty. I have just been reminded very clearly that

the Colleges Collective Bargaining Act provides only for voluntary arbitration. But I do think we could suggest that subsection 4(1) could begin, "Consistent with the spirit of section 23 of the Colleges Collective Bargaining Act, the Lieutenant Governor in Council shall, upon the advice of the minister...." That would require the minister to pursue the seeking of advice and the receiving of names in attempting to develop some mutually agreeable name.

Mr. Conway: If that is the minister's intention, we will consider it. I want to reiterate to her that I hope she is very sensitive in the consideration of the appointment of an arbitrator to the very heightened concern in the teaching profession at the community colleges in this province about a sense of fair play in the way these matters are going to be dealt with.

Mr. Allen: Mr. Chairman, I would just like to rise to support this amendment and the reasons for its introduction. We also had a considerable concern, given the issue that we thought was central to this bill and to its interpretation, namely, the problem of the involvement of the minister with one party in this dispute then becoming the individual who gave the advice about the arbitrator who would be the single, lone arbitrator to function in the resolution of the issues that are described in this bill and to settle the remainder of this dispute.

We ourselves have considered that perhaps it might be better to pass this particular role on to the Minister of Labour (Mr. Ramsay) in order to remove it entirely from the Ministry of Colleges and Universities and the present minister. However, if we can be assured that this will be pursued in the spirit of the relevant section of the Colleges Collective Bargaining Act, we will be happy with that amendment.

Mr. Rae: Mr. Chairman, I would like to know whether the minister considered the wisdom of a three-person board and whether, given the nature of this dispute, that might not make more sense. This partly leads into what we were talking about under section 5, the fact that it does not refer the most important matter to arbitration. I regard that as unconstitutional on the minister's part. I do not think she can do that. I say this in all sincerity, and we will see her in court on that issue.

I would be amazed if this legislation was not challenged in court on the simple grounds that it is unconstitutional. The government cannot take away the right to strike and replace it with a form of compulsory arbitration that is fundamentally flawed. The law is very clear on that point, and I

think she is going to have some real difficulties with it.

Did the minister consider a three-person board?

Hon. Miss Stephenson: For this one, no; for the other one, yes.

Mr. Rae: For the independent commission.

Hon. Miss Stephenson: Yes.

2:30 p.m.

The Deputy Chairman: There is an amendment now before us that has been put together by the Minister of Colleges and Universities.

Hon. Miss Stephenson moves that subsection 4(1) of the bill be amended by inserting at the beginning "Consistent with the spirit of section 23 of the Colleges Collective Bargaining Act" before the words "The Lieutenant Governor" in the first line.

Motion agreed to.

Section 4, as amended, agreed to.

The Deputy Chairman: Are we ready for section 5? Can we proceed quickly?

On section 5:

Mr. Conway: Mr. Chairman, with all due respect to my good friend the member for Hamilton West, I want to move now to the main amendments the Liberal Party has to Bill 130. I think the minister has copies of these. I think my friend the member for Hamilton West has copies as well.

Mr. Chairman: Mr. Conway moves that subsection 5(1) of the bill be struck out and the following substituted therefor:

"(1) Subject to subsection (1a), the arbitrator shall examine into and decide all matters in dispute between the council and the union, including any matter that may be a subject of dispute as to agreement thereon and any other matters that appear to the arbitrator to be necessary to be decided between the parties.

"(1a) During the 30 days next following the coming into force of this act,

"(a) the arbitrator shall not deal with the matter of instructional assignments; and

"(b) the parties shall seek to agree upon that matter,

"but if on the 31st day after the coming into force of this act the parties have not agreed on that matter, the arbitrator shall examine into and decide the matter of instructional assignments."

Mr. Conway: I am not a very experienced legislator, so I have to defer to those with more experience, such as my friend from Kingston.

Hon. Mr. Norton: I wish you would defer to me more often. I would keep you from going astray.

Mr. Conway: I am glad my friend the member for Kingston and the Islands (Mr. Norton) is here, because I must admit that while I have been here nine years and a couple of months I could count the number of bills I have done on one hand, so I really am in the hands of my more experienced colleagues.

Mr. McClellan: What have you been doing for the last few years?

Mr. Conway: It is a very good question my friend the member for Bellwoods puts. What have I been doing? I think the chairman who just left the chair would say, "Giving very poor acting lessons." Maybe that is the answer.

Mr. Breagh: That is true. There seems to be a consensus on that.

Mr. Conway: Agreed. We are agreeing on a few things here and I appreciate that. It is now 2:33 p.m.

Interjection.

Mr. Conway: I hope I get credit for something this afternoon. We will try and move this along. I want to be direct on this point. This brings my colleagues and me to our principal concern about Bill 130. As I indicated in my summary remarks—

Interjection.

Mr. Conway: I am always impressed by the entreaties of the member for Cochrane North (Mr. Piché). I know the long and arduous journey he has to make tonight. I hear it is snowing north of Nipissing.

I do not want to trivialize the most important aspect of this important legislation. My colleagues and I are supporting Bill 130 because we believe that in the clash of principles—on the one hand is the principle that teachers have the right and have properly exercised the right to strike. On the other hand, students also have the right and the community at large has the right to see the community college system restored at a point when the jeopardy is very clear and immediate.

We think that the strike has been about some very good causes from the point of view of the teachers and the Ontario community. There is an honest and healthy difference of opinion among members of this Legislature on this point and that difference of opinion will, I suppose, in the final analysis, only be arbitrated by the good electors of this great province.

In so far as Bill 130 is concerned, the minister's remedy to the key question, which

brought the strike on, is yet another of a—to use the rather felicitous phrase of the member for York South (Mr. Rae)—plethora of committees to deal with the very critical questions of instructional arrangements, work load, quality of education and all the related issues. We in this party do not think that is the best way to deal with this longstanding, long-simmering difficulty.

I need only remind the minister that we have had, in recent years, a clear indication from the teachers in the community college system that there was growing worry and frustration about what the burgeoning community college system was doing to the quality of education. My colleagues on all sides of the House have, in the course of this debate, brought all kinds of anecdotal evidence to bear on that question, and I do not intend to repeat it.

When one looks at the recent record in this connection, one knows, for example, that in 1980 the Ontario Public Service Employees Union conducted a very extensive work load survey. It sent out something like 5,000 inquiries and had over 1,800 returns, which gave a very good indication of the difficulty related to work load. In June 1981 the Ontario Ministry of Colleges and Universities struck, or was reported to, a task force on college growth. I cannot remember. Was it struck in 1981 or did it report in 1981? The minister may help me with that.

Hon. Miss Stephenson: It was not a task force.

Mr. Conway: Well, the college growth study report has been much talked of, but it has been very secretively kept. I am quite confident that the executive council and the minister and her mandarins, some of whom are ensconced under the press gallery looking very seriously upon the progress of this debate, are very well apprised of the data on this question of work load.

In 1982 there was a conference of the Association of Colleges of Applied Arts and Technology of Ontario on the critical issues in college education and college management. At that conference, as I recall it, there were a number of leading politicians and bureaucrats from the Ontario government, among others, making presentations about the challenges being faced in the community college system.

Then in 1984 there was the task force report on college productivity. As the member for York South and others have noted, there have been many reports and studies. I do not believe the minister's remedy in Bill 130 to this question of work load is the best of the available answers.

That is why my colleagues and I in the Liberal Party—

Hon. Miss Stephenson: Better than an arbitrator.

Mr. Conway: The minister says in an aside, and she is partly right, "Better than an arbitrator." I think she may be more than partly right. In putting this amendment, I do not want to minimize the difficulties an arbitrator would have in adjudicating these very fundamental questions in some cases. That is why our amendment provides a prior step.

2:40 p.m.

I am sure the minister thinks it is not a prior step. I probably speak her mind when I say that. Recognizing the urgency of this question and the hour, we in the Liberal Party say in our amendment that there is a better way than this plethora of committees. We are not too impressed by the minister's remedy because we believe that she, her officials, college management and the teachers are all very well apprised of the issues in great detail. I am not at all persuaded another committee that has eight months to look into this matter—

Hon. Miss Stephenson: Six.

Mr. Conway: Six? I thought it was to report by the end of June 1985.

Hon. Miss Stephenson: It has seven months, then.

Mr. Conway: I am closer to it at eight, but we will not quibble.

I am not at all persuaded that in six or seven and a half months another group of well-intentioned people is going to be able to bring to the table any new or substantially different information. There will certainly be variations on a well established theme. The minister will say, with some justification, this general review panel of hers will now go out and talk to students in a particular way. I accept that, but with all due respect I do not think another review is going to reinvent the wheel. The panel is going to come back with a body of information very much like that we now have before us.

The question is the will of both sides, and particularly of the government, to find a solution to these very difficult questions. I do not hold an exclusive brief for the teachers in all this. I have some very good friends and even some relatives who teach in this system, and we have some healthy discussions about some of these aspects. That is the way it should be.

I am concerned that at this time we really lack a will on the government side to face up to these

very troubling questions the fact-finder identified. I am not going to go into the particulars of his report some months ago, but there is no question in my mind that we have a very clear understanding of the problem. We do not need another study group, with all due respect to my friend the Minister of Colleges and Universities, and I think she really believes that.

What we need now is some will to deal with the problems that are affecting very much the quality of education in the 22 community colleges of Ontario. I accept the minister's injunction that it is not going to be easy for an arbitrator to resolve these questions. I want to be quite honest and candid in saying that. That is why our amendment provides a 30-day period during which both sides can go back to the table and try to find a mutually agreeable path towards resolving some of these questions.

After this very unhappy 22-day strike I think there will be a heightened appreciation on both sides to start dealing more effectively in the public interest with the challenge community college education faces today and for tomorrow. Perhaps 30 days is not enough. I would be quite prepared to say if it needs more time, let us give it more time.

I agree that going to an arbitrator is not going to be a very easy final solution, but I do think there must be some finality to this in the near future. I respectfully submit another committee going over the old data base and refining it with some new information is not going to solve that problem. I really do not believe that and my colleagues do not believe that. We really think this should be and probably can be negotiated in some more effective way than we have seen in the past.

Hon. Miss Stephenson: It cannot unless you have a foundation on which to proceed.

Mr. Conway: The minister says that will not happen unless there is a foundation on which to negotiate. I am not sure because I have great faith in the people of Ontario. When I think about the people on both sides of this, I cannot believe they are not now impressed by the situation in which we all find ourselves as a result of what looks to many like an utterly fruitless strike.

When I think of these teachers, there are some in this chamber this afternoon who have sat here and walked outside on the picket lines for almost 22 days now, losing upwards of \$20 million in income. To be told that the Legislature of Ontario has ended this strike and sent everybody back to work—and we now think that time has come and I

have given our reasons earlier—but for what? For another committee to look at the basic problem.

In my view this is just not good enough, and I think both sides in their heart of hearts know this is not good enough. That is why I think—and I am sure my friend the member for York South would agree—that both sides could be sent back with more optimistic results possible at the negotiating table.

If that is not possible—and I believe to a greater degree than the minister there is more hope and optimism there and we should give it a chance—if that fails, we do accept that, while it is not perfect and while it is not going to be easy, the arbitrator must adjudicate as best he or she can the very basic and critical questions related to quality of education and instructional assignments. Anything less than that, it seems to us, is neither fair nor reasonable.

I put this case in the hope that the minister and her colleagues will reflect upon it very carefully and in the hope and expectation that we can offer the 750,000 students and 7,600 teachers something more than another committee, which, in their view, will not advance the debate very effectively or immediately on the critical questions that, for many of those people, have brought this strike on for very good and understandable and justifiable reasons.

In conclusion, my colleagues and I have offered this series of amendments because we believe that yes, the strike must now be ended in the public interest. But we believe the teachers of the system have very properly brought to the public's attention long-standing and legitimate concerns about basic questions of quality of education. Those people, good citizens of Ontario, deserve a better solution than that which the minister offers in Bill 130. That is why we offer our amendments as a better way to resolve a very serious difficulty.

Mr. Allen: Mr. Chairman, I would like to rise to support the direction in which this amendment moves. I find section 5 is rather curious in that it presumes that somehow on the one hand the minister can move to relegate a certain portion of this dispute to arbitration and a second portion of it to some other kind of process of which she herself has the controlling levers wholly in her command.

There is another curiosity to it in that it seems to suggest that, having done this and having moved the central feature, the central issue at hand—namely, the work load, or instructional assignments—into her hands through a very dubious process of a kind of reiteration of this

committee of instructional assignments that currently exists in the colleges and what I would conceive to be a rather redundant study group that would go over material already well known, she also then assumes that somehow or other the parties, and in particular the union, will be prepared to continue a kind of negotiation that may take place in the background.

2:50 p.m.

That element of the section is simply the height of illusion. With the experience they have had in the negotiations with the council and having had the council taken off the hook by the minister, it is just incredible to think that, somehow or other, some form of negotiation will then proceed.

The options are quite clear: either to return to some form of negotiation or turn totally to a full form of arbitration.

The Liberal amendment has at least one virtue. It proposes that while the teachers return to work and the students return to classes, the union and the council take up once more the process of negotiation. It proposes they proceed in a different fashion in ending the strike, now that the moment of truth is upon them—if one can use that word in any respectful way regarding some features of this bill. It suggests the next month may well be fruitful.

One cannot really hope for that but I am prepared for the moment to give them the benefit of the doubt in that circumstance, despite what has passed. At the same time it does seem to me that, either immediately with the passing of this act or as the amendment proposes, all matters shall then turn to full arbitration. That really is for us the nub of the issue and we may want to return to that question with another amendment.

What I want to say at this point is that we are impressed with the position that was put so clearly by our leader yesterday. We cannot at one and the same time legislate a group of workers back to work and then go after the problem in such a way as to excise the main issue at hand. We cannot give that problematic dispute to the minister to resolve in whatever way she will and at the same time put the relatively unproblematic issues into binding arbitration.

We have to treat the dispute as a whole phenomenon. After all, it has to do with a single contract. It has to do with a contract that is negotiated totally between two parties and to which finally both parties must assent. It is not divisible in that sense.

It seems to me the minister should make some comment with respect to the route she has followed—to attempt to justify it to us. My

suspicion is she will give to binding arbitration the matters that have a direct monetary implication—direct salaries, benefits and so on. She knows she has other handles which she brings into this bill, and which exist outside it, to cope with the possibility that there may be some more money entailed.

The arbitrator will have to function under Bill 111 with respect to the provision of ability to pay. We in this party have objected to this in the past as being in itself an undermining of the process of arbitration.

The problem with the work load issue is that if the government is going to solve it, in all probability there is only one necessity: somehow to get more instructors in the system. That gets around the additional cost of escalating wages and so on, but it does bring an additional cost to the system and there is no question about that.

If the minister were to place an arbitrator into the resolution of that aspect of the dispute, she would be letting out of her hands and out of the government's hands the kind of protection it has bought for itself in Bill 179 and Bill 111 with respect to salary increases per se.

I would like to hear the minister's response to that, because I submit that is the only reason the minister has chosen to split the dispute. She does not want to lose control, she does not want her government or the cabinet to lose control, after all the work they went to with Bill 179 and Bill 111 on the issue of costs, which is most central to this dispute.

In short, we are supporting this amendment. If it does not pass, we will be submitting an amendment of our own which may get even closer to the nub of the question.

Hon. Miss Stephenson: Mr. Chairman, I regret that, to my knowledge, it is less than appropriate to agree to the amendment placed by the member for Renfrew North. The very real difficulties that abound at present related to the whole area of instructional assignment or work load, or whatever euphemism one wants to use for it, are those based on a lack of solid information, a lack of agreed-upon foundation.

That is the rationale for proposing the critical examination by what is really, I suppose, a group of apparent experts with an independent exterior chairman who will make recommendations upon which the foundation for negotiations may take place. There has to be a semblance of understanding of the issues involved on both sides. I think there is an acceptance of the fact that there is a degree of problem in some areas and not quite

so great a degree of problem in other areas. Even that is a matter of some concern.

I question the validity of suggesting the parties go back to the table, particularly if we are going to say that, if they do not agree in 30 days, it is going to go to arbitration. I have seen that happen before. There is no way one can persuade people to bargain when they know at the end of 30 days they are going to arbitration. That means it will go to arbitration and the arbitrator will simply have to make decisions on the basis of information that is incomplete and not necessarily valid at this point.

I feel very strongly we want to have the foundation upon which this can be negotiated appropriately. I anticipate and expect that when this committee makes its recommendations, not just the findings, it will develop as a result of the input of the union, the input of the college management and the input of an exterior independent chairman, we will have the foundation upon which appropriate negotiations can take place and we will have a total resolution of this problem.

It will not happen within 30 days, however, and it will not happen within 60 days, so I believe it is inappropriate to support the amendment.

Mr. Conway: Mr. Chairman, I do not wish to prolong this unduly, but I have listened to what the minister has said. I want to reiterate for a last time our view that there is probably a different environment today as a result of what has transpired over these past three weeks and one day. I might be wrong in that, but I do not think I am. I have been very critical of some of the people on both sides of this, but I have to believe we are dealing with reasonable men and women who want to see a better tomorrow for our community colleges.

There can be no one who is happy with the impasse at which we have now arrived. I cannot believe this is true anywhere. There has been too much pain and sorrow over this business simply to leave it to another committee.

3 p.m.

Hon. Miss Stephenson: It is not just another committee.

Mr. Conway: I say to the minister will all respect that it certainly looks like just another committee. It is true to say it is a different committee that is going to look at some different things. It is going to involve the students and parents in a way in which they perhaps were not involved before. In my view, those are not qualitative differences. They are important differences; I do not mean to diminish the role of

the students and the parents in all this, but I think the minister, the Council of Regents, the teachers' union and the teachers in the system know very much what most of the parents and students are concerned about.

It is not correct to say that if we send people back to the negotiating table with an outside limit, it is not going to do anything because they are simply going to say: "Well, there you have it, 30 days. If we do not reach a settlement, something else is going to trigger."

I think both sides can now go back and look at what has gone on, both in this place and in the community beyond, and what some of the options are. I am enough of an optimist to think that would create a heightened determination on both sides to make one last-ditch effort in the public interest to agree or to find a mutually acceptable mechanism to agree.

The minister has been Minister of Labour and I have not, and she has more experience. My friend the member for York South is a distinguished labour counsel and I am not nearly in that category. I am someone who believes in the good faith of my fellow Ontarians and believes the men and women on both sides have recognized the anguish, pain and sorrow caused by this unhappy and, in my view, unnecessary dispute. Given one last chance, I cannot believe they will not make a more heroic effort to find a settlement than has been seen in the recent past.

If I am wrong, and I might be wrong though I hope and pray I am not, then I respectfully submit one last time that a committee is not going to be the answer to that difficulty. I would be the first to agree arbitration is no panacea either, but in the interest of fairness and reasonableness, we should urge a return to negotiations, which I hope will bear fruit. Failing that, let us arbitrate all the issues at dispute. That is a better way, not a perfect way, but a better way, than that proposed by the minister in the later sections of Bill 130.

I really encourage the minister and her colleagues to reflect very seriously upon the choices, because we want to ensure this strike has been for something. I have to believe the 7,600 teachers who have walked those picket lines expect this Legislature to offer more in the interests of fairness and resolution than an arbitration of all that was noncontentious and a committee review of the basic question that has been festering for months and years. I think there has to be a better way. We believe the better way is the Liberal amendment package that we submit under section 5 of the bill.

Mr. Chairman: All those in favour of Mr. Conway's amendment will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Motion negatived.

Vote stacked.

Mr. Chairman: Mr. Allen moves that subsection 5(1) of the bill be amended by deleting the words "other than instructional assignment" from the second and the fourth lines of the subsection.

Mr. Allen: Mr. Chairman, I would like to state why we are making this amendment and then I will give my leader the opportunity to make further comments on it. He is more of an expert on labour law and related matters than I am.

As the mover of this motion, I suggest it is this phrase, which appears in two places in section 5 and in the preamble, that lies at the heart of our objection to this bill and to the procedure it proposes as a means of resolving this dispute. It is intolerable for us that the dispute be divided into two halves, one half that may be handled conveniently as the minister decides by arbitration, but another half that somehow resides in her hands and that, through the vehicle of the majority vested in the other side of this House, she is able to wrest from the dispute and handle in a quite different fashion.

There is a fundamental legal question and perhaps even a constitutional question pertaining to rights and freedoms of a very fundamental kind that are brought into question by this particular procedure. I will not detail them further, but in moving this amendment, I want to draw attention to them as the nub of our concern not just with this section of the bill, but with the whole procedure that the bill lays out in its entirety.

I want to sit down with those remarks and leave it to others to carry the debate further.

Mr. Rae: Mr. Chairman, with the minister listening carefully, I want to go over not only the reason I think this is unfair but also why this part of the bill is unconstitutional. It is not a very complicated argument, but I believe it is an important argument and I think it is one that needs to be understood.

We have a Charter of Rights that sets out something called the freedom of association as one of the fundamental rights that apply to every individual in Canada. The courts have now determined—

Mr. Haggerty: Let the courts decide.

Mr. Rae: Yes. The member says, "Let the courts decide." That is fine, but it is worth while to raise these issues in this Legislature. I do not think we should support legislation we think is unconstitutional. Surely we have an obligation to look at that fundamental question where it affects the liberty of the subject. I would have thought the Liberal Party would be interested in the liberty of the subject, but apparently it is not.

To focus on the question, the Divisional Court has found that the meaning of the phrase "freedom of association" implies the following: a freedom to organize, a right to be certified or declared a union or declared a bargaining agent when there is a majority of support and, as the justices of the Supreme Court of Ontario have said, the right to strike as a logical extension of the freedom of association.

3:10 p.m.

The courts have also said—and they have adopted the language and arguments of the International Labour Organization and international labour law—that if one is going to take away any one of these rights, in particular the right to strike, and impose compulsory arbitration, that is not, in and of itself, an unfair or unconstitutional thing to do. If it is an essential service where life and health are threatened, for example, there may need to be a way of ensuring compulsory arbitration as a part of the system.

The one point they have made, and they have made it persistently, is that compulsory arbitration must be equally binding on both parties and must be a process that is genuinely independent of both parties. The simple point I want to make to the minister is that—and I go beyond some of the things my friend the member for Renfrew North (Mr. Conway) has said—it is not simply the un wisdom and unfairness of taking instructional assignments and sticking them into another process, it is the fact that, in solving the instructional assignments problem, the work load problem, the quality of education problem, the minister has basically done what the employer tried to do in bargaining and was not able to get resolved.

The minister is shaking her head. She will not stand for it. For God's sake, she should look at what the employer put forward and compare it. She will find that the fundamental concepts there are exactly the same concepts and exactly the same notions.

Hon. Miss Stephenson: They are not.

Mr. Rae: I am sorry, but they are. If the minister wants to compare them, she can look at

pages 14 through 17 of the offer. That is not good enough.

When a Divisional Court is seized of this matter, as I am sure it will be, and has to consider the good faith of the government and the whole question of the approach to compulsory arbitration by this government, it is going to say the government has acted in a way that is fundamentally unfair, unconstitutional and illegal because it offends the Charter of Rights.

The minister has taken away people's rights and has not substituted for that a process that is genuinely independent of the government. The minister has substituted for it a process that is biased, one-sided and essentially directed by the employer on the issue that really matters.

I want to document what I have just said. In some instances, it is even worse than what was originally proposed. The minister proposed yesterday, for example, a process whereby, "An employee who believes that the instructional assignment is inequitable may request the college instructional assignment committee to review the completed instructional assignment form." Such human terms. "Such a request must be made by the employee within 10"—then in the margin is written "15"—"days of completing the IAF and should be reviewed by the CIAC within 10 days of receiving the request."

Here it simply says, "A committee shall review instructional assignments as soon as practicable," which means the minister has given less in the amendments we are going to be discussing in sections 9a, 9b, 9c, 9d and 9e than the employer was prepared to offer last Sunday.

That is my point. The minister is offering less than the employer was prepared to offer last Sunday. It is one of the main points I made yesterday and it is a point that has to be made. The government cannot wear these different hats and take away people's rights. In 1984 in Ontario, it has to be done according to the Charter of Rights. The minister has not done it according to the Charter of Rights. She has taken away the right to strike and imposed, in its place, a process that is not impartial, a process that is biased and directly oriented to the approach the employer wanted her to take.

It is not I whom she is going to have to convince; I am sure it is a court she is going to have to convince. If she looks at the track record of her colleague the Attorney General (Mr. McMurtry) in court, she had better start worrying.

Hon. Miss Stephenson: Mr. Chairman, again the leader of the third party has missed the

important point, which is section 9a of our amendments. The section related to the establishment of the college instructional assignments committee is an expansion or modification of a position that was put because it has worked well in several colleges. It was suggested by the employer and was put in the offer that was made on November 4.

However, the important part of the solution is not those individual college committees. The important part is the establishment of the review committee of instructional assignments that will include a representative of management and a representative of the unions, mutually chosen.

I intend to ask management to offer me a list of five or six nominees and provide that to the union so it can determine which of those people it thinks are appropriate. I intend to ask for the same sort of thing from the union to be presented to management so it can select an individual.

Then there will be an external, objective chairman who will not be related to either the union or management.

Mr. Wildman: Or to you.

Hon. Miss Stephenson: Or to me. It is my sincere hope it will be a judge.

That is the operative committee. One hopes the establishment of the individual college committees will meet a requirement which has been frequently articulated by members of the faculties of various colleges. They wished to have a mechanism whereby they could address their concerns, without too much concern about adversarial positions and with as little formality as possible, to a group of people within the college who would be helpful in sorting out the matter in a relatively informal way.

If that worked, the solution reached would be binding on both parties. However, if a solution was not found, the problem could proceed through the normal grievance arbitration system. We are trying to find a mechanism that would solve those problems before the other prolonged area had to be invaded.

That is simply a help or sustenance during the period when the really important committee is establishing the foundation and the recommendations on which the collective bargaining process will be able to address the problem of work load or instructional assignment appropriately. That is nowhere in anybody's offer that I am aware of. It is in this legislation because—

Mr. Martel: That idea came from the council.

Hon. Miss Stephenson: No, it did not.

Mr. Martel: Yes, it did.

Hon. Miss Stephenson: I will tell the member where the idea came from; it came from me. The idea may have been suggested verbally by the mediator at some point. I do not know about that. However, it was not in anybody's offer. It was my idea. I believe it is the appropriate way to try to solve this problem.

Having been apprised of the difficulties of attempting to determine the right foundation for these negotiations within a short period of time, I am convinced of the wisdom of Mr. Justice Estey's remarks. We really have to know more than we know right now and we have to have an opportunity to have the appropriate input from all those who are concerned. We need to have the sound recommendations that will provide the foundation for appropriate collective bargaining. That is what is being suggested in our amendment.

Mr. Rae: I do not want to prolong this discussion, but I want to tell the minister, with all due respect, that the Instructional Assignment Review Committee she is talking about—is that the one she is referring to?—

Hon. Miss Stephenson: Yes.

Mr. Rae: —the committee she is referring to as an original idea that came from her head is a committee whose recommendations are not binding on anybody.

Hon. Miss Stephenson: They are binding on me.

Mr. Rae: Like hell they are. Where does it say that in the minister's amendment? They are not binding on her; they are not binding on anybody. Do not give me that guff. They do not have the force of law. The minister's idea is to set up a task force that is going to study a problem. That is a great idea for a government. I honestly do not think the minister has grasped the problem.

Hon. Miss Stephenson: I have.

3:20 p.m.

Mr. Rae: I hope she has. If the government is going to take away people's rights and set up compulsory arbitration, it had better make sure it is fair. The minister is taking the fundamental question of work load out of the issue. Divvying up that question of work load into two committees, the primary committee being a local one that will deal with individual cases, which is exactly what the employer wanted, is not fair game; it is not fair ball. It is not going to be seen as fair, because it is not fair. I will leave it at that.

I think the minister has a problem under the charter. I do not even think she has thought about it. I do not even think the Attorney General

would know a charter problem if he tripped over it in the dark. I think the minister is going to face some difficulties because of it, and I wish her well.

Mr. Chairman: Are we ready for the question? It is an amendment to subsection 5(1) by Mr. Allen. All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Vote stacked.

Mr. Chairman: Mr. Conway moves that subsection 5(5) of the bill be struck out.

Mr. Conway: Mr. Chairman, I am told by learned legislative counsel that this has to be done just to make it consistent with the earlier amendments to this section. I only speak to this to tidy up the loose end that legislative counsel indicates is there if the two earlier amendments to section 5 of the bill are favourably responded to. It is a technical, housekeeping amendment, I am told.

Mr. Laughren: Are we on subsection 5(5)?

Mr. Chairman: Yes, subsection 5(5).

Mr. Laughren: Every time I see the expression "the ability of the employers to pay," it rings an alarm bell in my head.

Mr. Conway: Mr. Chairman, on a point of order: I misspoke myself. I am not paying enough attention to this. I am sorry; I was wrong.

Mr. Grande: Pay some attention.

Mr. Conway: Yes, I will. The member for Oakwood is quite right. I am sorry; I was looking at other notes here and not the ones I should have been.

The import of subsection 5(5) is simply to strike that subsection of the bill, which says, "In making his decision, the arbitrator shall consider as a factor the ability of the employers to pay in light of the existing provincial fiscal policy."

We would strike that on the basis that the arbitration should be fair and unfettered. We think that if there is going to be arbitration, it must be fair and unfettered. We do not think it is prudent or reasonable to constrain the arbitration in the way subsection 5(5) intends to do, and I therefore move that this section be struck.

I apologize to my colleagues for having misled them a moment ago.

Mr. Laughren: Mr. Chairman, I do not want to tell you how to do your job, but I wonder if it is really appropriate to allow the member for Renfrew North to move this amendment in view of the fact that his party voted for Bill 179, which

put this all in place and set the scene to allow the minister to put this section into this particular bill.

This is dealing with the decision of the arbitrator: "In making his decision, the arbitrator shall consider as a factor the ability of the employers to pay in light of the existing provincial fiscal policy."

Just as the minister knew that with the support of the official opposition she could bring in the bill legislating people back to work, she should have been able to count on the support of the official opposition on this particular section of the bill. I do not know how you can vote for Bill 179, which lays out the fiscal policy of the government, and now turn around and vote against this particular section, which has direct reference to and dependence on Bill 179.

Mr. Nixon: We moved to have that removed from Bill 179.

Mr. Kerrio: There are a lot of things you do not know.

Mr. Mackenzie: It bothers you, doesn't it?

Mr. Chairman: Order. Let us not have the debate on Bill 179 all over again. The member for Nickel Belt has the floor.

Mr. Laughren: Mr. Chairman, I think you should rule that members should not heckle other members who so seldom heckle.

Mr. Chairman: It will not work.

Mr. Wildman: Mr. Chairman, would you control that nattering nincompoop?

Mr. Chairman: That is unparliamentary.

Hon. Miss Stephenson: I think the member has to withdraw that comment.

Mr. Chairman: Before we proceed and lest we get out of hand, would the member for Algoma just remove that remark from the record.

Mr. Wildman: Mr. Chairman, I would withdraw the term "nattering nincompoop" and replace it with "nattering ninny."

Mr. Kerrio: The member does not have to withdraw it. I accept where it comes from. I would not say such a thing about him, however.

Mr. Cooke: The member for Niagara Falls has said worse things about everyone.

Mr. Kerrio: No, I have not.

Mr. Chairman: Order.

Mr. Laughren: We had an unprovocative, reasonable debate this afternoon until the Liberals started barking and braying when I was making my most restrained remarks concerning subsection 5(5).

When I look at this section, I picture myself as an arbitrator. If I were an arbitrator, not that this government would ever appoint me as an arbitrator—

Mr. Conway: The Prime Minister appointed Stephen Lewis to New York, so all things are possible.

Mr. Laughren: The honourable member is right. There is hope for me yet.

Mr. Martel: The member should look to his right. There is an empty seat there. I will not say who used to occupy it.

Mr. Chairman: Order. I would draw to the attention of all the colleagues of the member for Nickel Belt that he was courteous and attentive through some of the earlier debate. I think we owe him that much.

Mr. Laughren: If I were the arbitrator who had been appointed, I would look at that section and say: "Now, wait a minute. I have certain views on what is fair in my role as an arbitrator, given the nature of this dispute." I would try to ignore this section because it would put handcuffs or a straitjacket on me as an arbitrator. I do not know why the minister feels it is necessary to have this section in the bill.

I know when she drafted the bill she was really saying to the arbitrator, "We have attached a salary schedule to this bill." That is what she was saying. That salary schedule awards increases of two per cent throughout the salary ranges. I believe that is the rough figure. It also says in the bill the arbitrator shall not be restricted to that schedule.

The arbitrator looks at the bill and looks at the schedule and says, "That two per cent is not appropriate," and decides that for whatever reasons that schedule needs to be changed. What then happens if the arbitrator makes awards that exceed the existing provincial fiscal policy or, to use the other words, the ability of the Ontario government and the people of Ontario to pay?

I do not know how the minister sees any logic or sense in this section. I can only conclude she put it in because she was mistaken in her view that the official opposition would be consistent and support her on this one, as it supported her on Bill 179.

3:30 p.m.

Mr. Wrye: Mr. Chairman, I did not intend to enter the debate, but I do want to be helpful to my friend, the member for Nickel Belt, because I know he would want to make sure the facts of the matter are correct and properly laid out.

First of all, I know my friend thinks back two years to Bill 179, but perhaps he should rest his mind on Bill 111, which is the piece of legislation that had the ability-to-pay clauses, not Bill 179. I want to remind my friend it was Bill 111.

This party would want to be and will continue to be absolutely consistent. If my friends from Nickel Belt and elsewhere would like to wander behind the Speaker's desk and check the record, they will find that when this matter was put to the House in Bill 111 this party voted to remove it.

We have moved such an amendment this afternoon and we will continue to vote as consistently as we did on Bill 111. That was to remove from the amendments the matter of fiscal responsibility, or the employer's ability to pay. I hope I have made that clear. I am sure if my friend from Nickel Belt rereads the comments, perhaps over the weekend, even he will understand that this party is going to vote as it did about a year ago. I am sure he probably will.

Mr. Laughren: Mr. Chairman, the member for Windsor-Sandwich is quite right about the ability to pay being in Bill 111. Where he is wrong is on the consistency of his caucus. Where the consistency broke down was thinking they could support Bill 179 and then taking the ability to pay out of Bill 111. So there is inconsistency, as usual, in the Liberal caucus.

Mr. Martel: What I tried to elicit from the minister yesterday—she took so little time to respond today—it is my understanding that some of the salaries were frozen as a result of Bill 179. It is my understanding—

Hon. Miss Stephenson: We did all this earlier today. We went through the whole thing.

Mr. Martel: Was the minister able to convince people that those people were going to be able to get the catch-up that would put them in the appropriate grade level and there would still be enough money within the provincial guidelines?

Hon. Miss Stephenson: It consists of both increment and returning to grid, plus about a two per cent increase across the board in the interim allotment which is being provided for salary.

Mr. Foulds: Mr. Chairman, my inclination is to strongly support any move to delete subsection 5(5), even if it comes from the Liberal Party. However, before making a final decision, can the minister explain to us what the existing fiscal policy of the government is?

Hon. Miss Stephenson: Does the member have the next five days to listen? I would probably require that length of time.

Mr. Foulds: Does the minister?

Hon. Miss Stephenson: Yes, I do; I do indeed. I am not sure the member for Port Arthur does.

I am sure that is again one of the honourable member's rhetorical questions that really precludes any possibility of a rational answer. I think he has had an opportunity to debate much of that in a significant number of pieces of legislation over the past couple of years. Indeed, he has had the opportunity to debate that in the amendment to the estimates of the Treasurer (Mr. Grossman) which have just been completed.

May I also say, since I am on my feet—and I think that is probably the end of this amendment—does anyone else want to discuss it?

Mr. Foulds: Yes. One of the points I would like the minister to elaborate on relates to the famous memo from the Premier (Mr. Davis) to the cabinet as a result of his trip to Standard and Poor's. The statement was made that the limit would be three per cent in transfer payments to municipalities, to institutions and so on. Would the minister elaborate on whether or not these are part of the existing guidelines the arbitrator must pay attention to if this subsection passes?

Hon. Miss Stephenson: The subsection states very clearly that this concerns government policy—provincial fiscal policy. Memoranda or notes from people to other people are not necessarily classified as such. The policy in place at the present time was enunciated in Bill 111. That legislation suggested very strongly that the limit or compensation package be in the range of five per cent in those areas in which the bulk of the income for employed individuals comes from taxation.

Obviously, this is consistent with government policy and thus, to demonstrate government's consistency, it would be inconsistent if it were not in this act at the present time.

Mr. Conway: Mr. Chairman, on a point of order: I do not know whether I speak for anyone other than myself, but the lights in here make me think we are about to have an extraterrestrial visitation. I do not know if ET is on his way, but if we do not really need these high-beamed wonders, I would be in agreement if we could tone them down.

Mr. Chairman: Fine. I appreciate the member pointing it out. One of the networks wanted to do a short film.

Mr. Laughren: I cannot hear you, Mr. Chairman.

Mr. Chairman: I was just thanking the member for pointing that out. We will turn the lights off again. We were responding to a request by the French network.

Mr. Foulds: Mr. Chairman, I find it difficult to accept the minister's answer, not because I do not believe the minister believes what she just said, but during the debates on Bill 179 and Bill 111 I recall very clearly that ministry officials and the Treasurer indicated to us that a statement by the Treasurer would be considered to be government fiscal policy and need not be stated in legislation or regulations.

There have been a lot of arguments about what the Premier actually said to the cabinet. It would seem to me a statement by the Premier to his ministers about keeping a lid on expenditures, and particularly a statement by the Premier to his cabinet ministers with regard to transfer payments and increases in budgets, would be de facto government fiscal policy.

As neither the Legislature nor the public of Ontario has ever had an opportunity to see that document or hear that conversation, it is difficult as legislators to know what it is we are voting for or against here.

Hon. Miss Stephenson: I stated the policy as I understand it, Mr. Chairman. I do not believe it has changed.

Mr. Foulds: I simply want to emphasize the points made very ably by my colleague the member for Nickel Belt. This subsection is the antithesis of arbitration. Including this subsection in any kind of arbitration process defeats the purpose of arbitration, let alone the purpose of collective bargaining.

If the arbitrator is to view the dispute with any kind of evenhandedness, any kind of unfettered eyes, one cannot have imposed upon one this artificial and draconian measure. In the strongest possible terms, I oppose subsection 5(5), because it is more and more clear that the fiscal policy of this government is not made in the province of Ontario. It is not made in the Legislature of Ontario. It is not even made in the corner office of the Premier of Ontario or the Treasurer of Ontario.

The fiscal policy of this government is made on Wall Street by Standard and Poor's and Moody's, because this government has an absolute obsession with its triple-A credit rating. Because of that, this year, next year and the coming year, it is going to slash the amounts of moneys available for health, community and social services, and education.

I suggest this clause is not even worthy of consideration, let alone of respect. For that reason I will support any motion to delete, even when it comes from David Peterson's community Liberal Party of Ontario.

3:40 p.m.

Mr. Chairman: All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Vote stacked.

Sections 6 to 8, inclusive, agreed to.

On section 9:

Hon. Miss Stephenson: Mr. Chairman, I move that the bill be amended by adding thereto the following sections:

"9a(1) There shall be a committee to be known as the Instructional Assignment Review Committee to be composed of three persons who shall be appointed by the minister.

"(2) The minister shall designate one of the members of the committee to be chairman.

"(3) The chairman and the other members of the committee shall be paid such remuneration and expenses as are determined by the minister.

"(4) The committee shall conduct a comprehensive review of all aspects of instructional assignments in the colleges of applied arts and technology.

"(5) As part of its review, the committee shall consult with persons representing the views of the Ontario Council of Regents for Colleges of Applied Arts and Technology, the boards of governors of the colleges of applied arts and technology, the Ontario Public Service Employees Union, students attending the colleges of applied arts and technology, parents of such students and other persons whom the committee is satisfied have an interest in instructional assignments in the colleges of applied arts and technology.

"(6) The committee shall submit its report and recommendations to the minister not later than the 30th day of June 1985 and is thereupon dissolved.

"9b(1). There shall be a committee to be known as the college instructional assignment committee established for each college of applied arts and technology.

"(2) Each committee shall be composed of four members of whom,

"(a) one shall be the senior academic officer of the college or his appointee;

"(b) one shall be the president of the branch of the union in relation to the employees or his appointee;

"(c) one shall be appointed by the board of governors of the college; and

"(d) one shall be appointed by the executive committee of the branch of the union in relation to the college.

"(3) Each committee shall elect one of its members to be chairman of the committee.

"(4) The chairman of a committee may call a meeting of the committee on his own initiative and shall call a meeting of the committee at the request of any other member of the committee.

"(5) The committee shall be established on or before the first day of July in each year and shall continue until the 30th day of June in the following year.

"9c(1) An employee in a college may request the committee established for the college to review an instructional assignment.

"(2) A request under subsection 1 must be made to the chairman of the committee not later than 10 days after the employee delivers the report of the instructional assignment to the employee's supervisor.

"(3) A committee shall review instructional assignments as soon as practicable.

"(4) A committee is not required to hold a hearing or to afford to any person an opportunity to make oral submissions before making a decision under this section.

"(5) A decision of a majority of the members of a committee is the decision of the committee.

"(6) A committee in accordance with its review may confirm, amend or revoke an instructional assignment.

"(7) A committee shall give its decision, together with written reasons, to the employee and to the supervisor.

"(8) A decision of a committee is final and binding upon the employee and the supervisor.

"(9) When a committee, after a review, is unable to reach a decision, the employee is entitled to file a grievance in respect of the instructional assignment in the manner provided for in the agreement.

"(10) In carrying out its review, a committee shall have regard for:

"1. The number of teaching hours.

"2. The number of contact days.

"3. Course preparation.

"4. Measurement and evaluation.

"5. Availability of technical and other resource assistance.

"6. The number of students.

"7. Instructional mode or modes.

"8. Previous assignments.

"9. Necessary travel time between assignments.

"10. Curriculum development.

"11. Academic counselling.

"12. Other assignments.

"13. Any other factors the committee considers relevant.

"9d(1) Each employee who receives a new instructional assignment shall set out the details of the instructional assignment in an instructional assignment report in the form that shall be provided by the college.

"(2) The report shall include information as to:

"1. The number of teaching hours.

"2. The number of contact days.

"3. Course preparation.

"4. Measurement and evaluation.

"5. Availability of technical and other resource assistance.

"6. The number of students.

"(2) The report shall include information as to:

"1. The number of teaching days.

"2. The number of contact days.

"3. Course preparation.

"4. Measurement and evaluation.

"5. Availability of technical and other resource assistance.

"6. The number of students.

"7. Instructional mode or modes.

"8. Previous assignments.

"9. Necessary travel time between assignments.

"10. Curriculum development.

"11. Academic counselling.

"12. Other assignments.

"(3) The employee shall deliver the report to his supervisor as soon as practicable.

"(4) The supervisor shall review the report and transmit it, together with his written comments, to the chairman of the committee within 10 days after receiving it from the employee.

"9e(1) The provisions numbered 4.02a, b and c (college instructional assignment committees) in the agreement between the parties shall be deemed to be removed from the agreement and void, and sections 9b, 9c and 9d shall be deemed to form part of the agreement, effective the day sections 9b, 9c and 9d come into force.

"(2) Where a college instructional assignment committee has commenced a review on the day subsection 1 comes into force and has not completed its review or where an employee has filed a grievance or referred a grievance to arbitration under the provisions of the agreement mentioned in subsection 1 and the matter has not been concluded, subsection 1 and sections 9b, 9c

and 9d shall be deemed not to be in force in respect of the subject matter of the review, grievance or arbitration.

The Deputy Chairman: Hon. Bette Stephenson has moved sections 9a, 9b, 9c, 9d and 9e. Shall we dispense? Agreed.

Mr. Conway: Mr. Chairman, not even in my most friendly moments would I refer in this House to the Minister of Education, the member for York Mills, as Bette Stephenson.

Interjection.

Mr. Conway: It is interesting that the member for York East (Mr. Elgie) should interject at this point. I know this could be provocative, but I do not mean it to be. One of the concerns I have about this at the secondary level is 9a(c) where it is suggested, "The committee shall...report...to the minister not later than June 30, 1985."

Hon. Miss Stephenson: You mean subsection 9a(6).

Mr. Conway: The minister is not saying 1986.

Hon. Miss Stephenson: It is section 9a(6); you said 9a(c).

Mr. Conway: That is a techicality.

The Deputy Chairman: You are being provocative.

Mr. Conway: I was going to say that I am concerned it will not be the responsibility of this minister to accept the report and then to take it the next step. I have a feeling that, if an election does not intervene, the member for York East will be in that responsibility, but I could be wrong.

Hon. Miss Stephenson: Do not hold your breath.

Mr. Conway: I have said elsewhere that as long as she is here, I think the member for York Mills is the best candidate for the next Chairman of Management Board anywhere in this House or in this province.

The Deputy Chairman: Order. The member will speak to the bill.

Mr. Conway: I always defer to men of the cloth, Mr. Chairman.

I want to say quickly that I indicated earlier our concern about this Instructional Assignment Review Committee. By my reckoning, we have had five different committees over the past four or five years to look at these subjects. I do not believe, nor do my colleagues, that what this matter requires is yet another committee.

The minister and Mackenzie King might be the only two who believe another committee is what is necessary. We do not think another committee

will substantially advance the cause. We think our amendments, as put under section 5 of the bill, are a better way. We do not feel this is appropriate or the best available remedy. Therefore, we do not find it worthy of our support.

Mr. Allen: The two major elements in this omnibus series of amendments proposed by the minister constitute, on the one hand, a system-wide committee that presumably may do all the things the minister may say, but also may not. There is nothing in it requiring that any action follow from it. Therefore, it exempts it from and frees, if you like, the members of the union and the teaching staff from any certainty their problem will be resolved.

3:50 p.m.

This may follow the way of the college growth study and any number of other studies we know that various cabinets and departments have put away on the shelf. Therefore, it falls under the objections we have that the minister has not referred all matters in the dispute to arbitration.

We have already tabled our concerns about a second aspect. On the one hand, it is because the articles duplicate almost the very words of an offer put by the management within the past week to the union bargaining committee. On the other hand, they are very much a duplication, with some amendment, of the process that already exists—perhaps in some colleges, certainly across the system. They duplicate what one finds on pages 8 and 9 in the collective agreement, namely articles 402 and the various subsections.

Those articles have not provided relief. They are precisely what the union objected to when the council proposed that subjects of this kind pertaining to work load should be handled on a case-by-case basis. They argued that it was a system-wide problem and that of course is the issue that needs to be resolved.

Certainly the committees in place treat it on a case-by-case basis. That is not good enough. If the system-wide committee that is supposed to look at all this simply sits on the table—and there is nothing to tell us it will not do that—then there will be no relief for the faculty members. The central issue they have gone to strike over will end up not being addressed. There is no certainty that course will not be the one that is followed.

Our objections are fundamental and central. I repeat that they relate to the central concern we had about this bill. The principle that lies behind the bill is that a minister and a ministry, having supported one side in a public sector dispute, may then by virtue of the power of legislation put

in force those aspects of the entire part of the employers' offer with no redress for the injured party.

Mr. Conway: Mr. Chairman, I assumed you were just dealing with section 9a first?

The Deputy Chairman: We are doing all of section 9.

Mr. Conway: I want to deal quickly with sections 9c and 9d. My colleagues and I are concerned that certain aspects of the CIACs derogate from the current collective agreement and make teachers worse off under this arrangement than they might be under the collective agreement.

For example, in the collective agreement there is the requirement that the CIACs reach a decision within three weeks. That does not appear to be sustained in subsection 9e(1). For that time frame, it is retreated from. In subsection 9c(3), there is a provision now—

Mr. Rae: You are doing a great job.

Mr. Conway: I am looking at subsection 9e(1). As we relate that section to the collective agreement, we note it refers to having to reach a decision within a three-week period. We believe that should be provided for in the collective agreement, 4.02b, but that protection is nowhere to be found.

Hon. Miss Stephenson: That can certainly be added.

Mr. Conway: That was a concern there. On subsection 9c(3), this has to do with the assigning of instructional hours. The collective agreement, paragraph 4.02a, stipulates September as the time the employee is assigned instructional assignments. That appears to be changed now in the minister's subsection 9c(3).

I do want to be very careful because I have my illustrious and learned colleague the member for York South here present. But we note in two or three of these cases that the minister's amendments derogate from certain provisions in the collective agreement. My colleague the member for Hamilton West has noted some of these as well. I did not quite get that he had covered all of these. We are concerned about that, as are our friends in the New Democratic Party.

Mr. McClellan: It will be thrown out in court.

Mr. Conway: My friend the member for Bellwoods, who is as learned in the law as I am, says it will be thrown out in court. Perhaps that is the case.

I would really advise the minister to look seriously at making sure. I do not know what the

provisions are now. Maybe this is the time; we probably should do it right—

Mr. McClellan: We always write collective agreements in here, do we not?

Mr. Conway: It is difficult to write these agreements in here. My legal counsel is some distance away from me.

At any rate, we want the protections of the collective agreement at least as a minimum in the minister's new sections. We are also concerned, on that matter of subsection 9c(3), that it appears now under her amendments that the teachers can be given their instructional assignments at any time during the year, not just in September.

Hon. Miss Stephenson: That may happen.

Mr. Conway: That, it seems to us, may open the door to worsened labour relations in the colleges. Perhaps the minister might care to respond to that.

Hon. Miss Stephenson: My concern would be that there may be a modification or an addition of instructional assignment to an individual teacher at some time during the year in some continuous intake programs, for example, or in some of the relatively short-term programs. There are a number of short-term teaching situations in the colleges as well, and those may occur not just at the first of September.

The intention is that as soon as an instructional assignment is given to a teacher, the teacher is requested to complete the instructional assignment form in order to ensure that he or she accepts this as a reasonable request on the part of the supervisor.

Mr. Conway: The difficulty appears to us to be that now, since the September stipulation is removed, a new assignment may be provided very late in the academic year when, practically speaking, no redress is available to the teacher.

That is the concern we have. Is there some way we could tighten this up to give teachers the protection of at least the collective agreement as it now is written in that connection? Again, I do not want to labour the point, but the college instructional assignment committees are recipes for hung juries on a lot of this. I do not have great faith that they are going to be able to deal very effectively with the problems that will be brought to them.

The minister differs; we have an honest difference of opinion. But at the very least let us be sure that her amendments provide for the minimum protection that is currently in the collective agreement.

The Deputy Chairman: Does the minister wish to make an amendment at this point, or is she drafting it?

Hon. Miss Stephenson: In order to achieve what is in the collective agreement we do not have to make an amendment, because the collective agreement, in conjunction with this, will in fact—unless we have removed that section entirely from the collective agreement. I do not think we have.

Mr. Rae: This is appalling. You are writing a bloody collective agreement on the floor of the House.

4 p.m.

Hon. Miss Stephenson: No, I am not. I am ensuring that there is protection. I am assured by legal counsel that the September date in the collective agreement does not refer to the CIAC. The CIAC may meet at any time if the assignment changes or, if a new assignment is given, it is modified in any way, so it does not conflict with that.

Mr. Conway: Is it possible that we could add a section somewhere in here to make it very clear that the protections that are now in place in the collective agreement are not superseded or in any way derogated from? If anyone reads Hansard, I think it is very much the intention, but I would like to see it in these amendments to make it very clear what is intended. Perhaps legislative counsel can help us.

Mr. Laughren: Mr. Chairman, I am concerned about college instructional assignment committees established under this legislation. A couple of things bother me.

One is whether or not clause 9b, which creates the committees, is subject to the law under subsection 9(1) which states, "Every person who contravenes any provision of this act is guilty of an offence and on conviction is liable to a fine of not more than \$500 for each day upon which the contravention occurs or continues."

I would not want to ask the minister a perplexing question so late in the day, but I really wonder whether or not the college instructors are required to serve on such committees. If I were in the college system and I saw this appear on my desk as a requirement, I know what I would be inclined to do. I would have to express my opinion as to the wisdom of anybody from the union serving on one of these committees. I wonder whether or not it is a requirement of the act and whether, if they do not serve on these committees, they are subject to the fines and penalties as laid out in subsection 9(1).

Hon. Miss Stephenson: It was not intended that penalties be assigned for failure to comply. One would hope there would be, within the hearts of all of those involved in the colleges, the willingness to serve on such committees for the benefit of faculty members of the colleges as a reasonable kind of human activity.

Mr. Laughren: It is part and parcel of what they accept, despite the fact it is all part and parcel of back-to-work legislation that does not resolve the problem for which they went on strike. Is that what the minister is saying?

Hon. Miss Stephenson: No. What I am saying is that in the minds of many members of faculty in many of the colleges across the province, the existence of an avenue such as this in order to discuss, in rational framework without adversarial intent, the kinds of disturbances that seem to arise from time to time would be a great advantage, and that is the reason for the existence or the suggestion that this section be added to the act.

Mr. Rae: Mr. Chairman, I think it should be fully understood, and I say this by means of commentary to get it on the record, exactly what the government is doing here. The government is rewriting the collective agreement in the Legislature of this province and that is absolutely ridiculous. It is nothing short of ridiculous for the minister to be imposing terms on the collective agreement. Those are matters that should be decided by an arbitrator. The minister has no business doing that and the Legislature has no business doing that. We have no business rewriting collective agreements.

In some instances, what the minister is imposing is less than is contained in article 402. It is an utter absurdity for the minister to be doing this. I hope she understands the consequences of what she is doing. It is just ridiculous.

I would also like to point out that under the existing articles of the collective agreement, article 402, which is the work load, is not substantively or dramatically different from the section the minister is adding today.

Bill Kuhn, a teacher at Fanshawe College, filed a grievance on October 17, 1980, dealing with his work load assignments in 1980. The hearing was scheduled on May 7, 1982. The interim decision was handed down on June 21, 1982. Hearings were later held on February 29 and March 1, 1984, and the final decision was handed down on April 9, 1984. It took three years and seven months for that grievance to be arbitrated, dealing with work assignments made in 1980.

This is an absolute Alice-in-Wonderland world in which the minister is living. It would be nice if the world were like that, but my God, the minister is quite an adversary herself and she knows how that works. If one has a grievance against this great sitting consensual group which is in no sense adversarial, the process may take years. By the time one is finished going through the process, the decision has nothing whatever to do with the teaching assignments one has in that year.

Mr. Kuhn is not alone. Florence Ward of Fanshawe College filed a grievance on June 26, 1980. When the board was unable to reach a majority decision, on May 4, 1981, the grievor requested the dispute be referred to arbitration. A hearing was held on August 31, 1982. An interim decision dismissing the employer's objections to the jurisdiction of the appeal board was handed down on November 22, 1982.

In a second interim decision handed down on March 14, 1983, the board disposed only of the employer's objection that the grievor's work load could be compared only to those of her colleagues at the Woodstock campus of the college. The board held that comparison to all Fanshawe teachers was appropriate.

The third interim decision was based on a hearing on June 21 and June 22, 1983, and resulted in a decision dated June 27, 1983. That is not the final one, however. We had to wait for the final one, which had five separate hearings between November 30, 1982, and April 3, 1984. That is the total.

Following explicitly the reasoning of the board in the Kuhn case, this board, chaired by Mr. O'Shea, found the work load of the grievor was neither absolutely nor relatively inequitable. A final decision was handed down on July 3, 1984. The total elapsed time in this case was four years and one month.

We are talking here about a system of industrial or labour justice that does not make any sense. This is the system the minister is establishing as her model. Her model is that every college is going to have one of these committees and everybody can go through the grievance procedure. That is how individuals are going to get justice. The minister is desperately out of touch with the real world of the community colleges.

She is compounding two absurdities. The first absurdity is the idea that the Minister of Colleges and Universities can sit down and write a collective agreement that is good for everybody because she knows what is in everybody's

interest. We do not need an arbitrator. The minister says: "I will do it myself. Why do we need an arbitrator? I can do it myself." She sits down and writes the clauses and takes credit for the ideas, saying they were her ideas in the first place. Great.

Hon. Miss Stephenson: I did not. The leader of the third party is distorting it.

Mr. Rae: No. I listened very carefully to what the minister said.

Hon. Miss Stephenson: On a point of order, Mr. Chairman: What the honourable member is describing as the individual college committee is really his concern at the present time. He is suggesting that I suggested the committees were my idea. I did not at all. What I suggested was my idea was the overall college committee, the examination of the total system. This may be only an interim kind of medication to try to provide some relief for a period of time.

Mr. McClellan: Like psychosurgery.

Hon. Miss Stephenson: "Take two aspirin and call you in the morning."

The other committee is the one that is really searching for the solutions.

Mr. Rae: The minister probably thinks a lobotomy is a temporary answer to a problem, but I do not think it is.

4:10 p.m.

Hon. Miss Stephenson: Come now, really.

Mr. Rae: I know it is Friday afternoon. The minister should not lose her sense of humour. She is famous for it.

Now I have it straight. The minister is saying that sections 9b, 9c and 9d are not her idea. Is that right?

Hon. Miss Stephenson: That is right.

Mr. Rae: She says that is right. They are not her idea; they are the employer's idea. That is what I have been saying all along, and she has just admitted it.

Hon. Miss Stephenson: I am just saying that is not the solution.

The Deputy Chairman: Order. The honourable minister can respond.

Mr. Rae: The minister is saying that is not the solution, but she is also saying, and this is what we are being asked to vote for, in section 9e:

"The provisions numbered 4.02a, b and c in the agreement between the parties shall be deemed to be removed from the agreement and void, and sections 9b, 9c and 9d shall be deemed to form part of the agreement, effective the day sections 9b, 9c and 9d come into force."

The minister is rewriting the collective agreement with sections that come straight from the employer. That is what she is doing. If the minister does not understand that that is exactly what it says here and that is what she is doing, she is going to regret the day she has done it because she is making an enormous mistake. She has no business writing a collective agreement.

Hon. Miss Stephenson: I am not trying to.

Mr. Rae: The minister says she is not trying to, but that is exactly what she is doing. Is she denying section 9e exists? Does section 9e exist? Are we being asked to vote on—

Hon. Miss Stephenson: Yes, it exists. I certainly was not denying it.

Mr. Rae: It exists. Section 9e says that sections 9b, 9c and 9d shall become part of the collective agreement. Is that true?

Hon. Miss Stephenson: Yes.

Mr. Rae: I rest my case.

Hon. Miss Stephenson: Mr. Chairman, if it will minimize the trauma, then what I shall do is establish these committees through a memorandum to the colleges in order to try to be of assistance to faculty members who feel their existence would be helpful. I am willing right now to withdraw sections 9b, 9c, 9d and 9e from this amendment.

The Deputy Chairman: Does the minister now withdraw them?

Hon. Miss Stephenson: Yes.

The Deputy Chairman: We are only considering section 9a. Is there any further discussion on section 9a? Shall section 9a carry?

Section 9a agreed to.

On section 10:

The Deputy Chairman: Hon. Miss Stephenson moves that section 10 of the bill be struck out and the following substituted therefor:

"10. This act comes into force on the day it receives royal assent."

Mr. McClellan: Why has the minister eliminated the sunset provision?

Hon. Miss Stephenson: Because the committee under section 9a cannot disappear on the date the agreement is reached on the basis of the arbitration.

Mr. Rae: Why not? With respect, that does not make sense. Why not say the act is repealed no later than June 30, 1985, which is the date on which the minister has to get her committee report in, or are we going to have another Thom commission?

Mr. Conway: Are we finished with section 10?

The Deputy Chairman: We are on section 10.

Section 10, as amended, agreed to.

Mr. Breagh: With all due respect, the amendment put by the minister is a little incoherent. This bill has to have an ending. One can pick any date one wants when one has an agreement put together under this bill, next June, next July, next August, or whenever, but I certainly do not think that even this government wants to put this kind of legislation on the books for ever and a day.

The Deputy Chairman: We just approved the amended section 10 that this act comes into force on the day it receives royal assent.

Mr. Breagh: I have no problem with that. I want to know when this act ends. I presume it is not the government's intention to leave this piece of legislation in place for ever. It has in mind that it will act for an interim period and we need an answer. When does the act end?

Hon. Mr. Wells: Subsection 5(4) takes care of all that.

Interjections.

Mr. Breagh: I appreciate the chatter back and forth, but I want on the record when this act ends. Will somebody stand up and tell me that?

Hon. Mr. Wells: When an agreement is made.

Mr. Breagh: Let the minister put it on the record.

Hon. Miss Stephenson: Subsection 5(4) says, "The agreement between the parties shall be for the period expiring on August 31, 1985." I would think what should happen is that this act, coming into force on the day it receives royal assent, should dissipate on the day the agreement expires.

Interjections.

The Deputy Chairman: I cannot hear the member for Oshawa.

Mr. Breagh: I am asking someone to put that in this clause. Is that not a reasonable thing to do? I appreciate the minister's opinion, but her opinion is not quite law; it is pretty close. I am waiting with bated breath for an answer. I think the process has come unglued here. Ah, good, the answer arriveth.

Hon. Miss Stephenson: The act will expire, it will be spent, when the agreement expires under subsection 5(4), and the committee reports in

section 9a. It does that automatically apparently. Legislative counsel says one does not have to do anything with it. He says it expires automatically as a result of subsection 5(4).

The Deputy Chairman: Is there a further amendment the minister has to present?

Mr. Conway: Just one moment, if I can. Has there been some impact on what we did in clause 2(1)(b)? Do the members remember what we agreed to with respect to—I do not even have a copy of the amendment that was agreed.

Hon. Miss Stephenson: By mutual consent.

Mr. Conway: I am thinking quickly. Is there a possibility that by the termination of this act some of the provisions of the fallout of what we agreed to in clause 2(1)(b) are somehow affected in later months or even later years of programs that are now affected by this current dispute?

Hon. Miss Stephenson: The addition under clause 2(1)(b), that is, including duties assigned by mutual consent in order to afford students the opportunity to complete courses of study affected by the strike, obviously ensures that this clause relates specifically to assignments that are made within the next several weeks to accomplish the purpose which is stated clearly in clause 2(1)(b). I do not think that has any impact on whether there should be a date of repeal or otherwise. One would hope that it would have some beneficial effect on relationships.

4:20 p.m.

Mr. Conway: I am trying to work this along. I have one last amendment, which is the first amendment on the preamble.

The Deputy Chairman: The preamble has not been moved yet.

Section 11 agreed to.

Schedule agreed to.

Mr. Conway: I have one quick amendment to the preamble and then a word about it. The amendment has already been dealt with, practically speaking. The minister has it. It follows from what we were discussing back in the main sections of the bill, particularly section 5.

The Deputy Chairman: Mr. Conway moves that the preamble to the bill be amended by striking out "other than instructional assignments" in the second last line.

Mr. Conway: The reason for that is obvious. It just deals with matters that were at issue in section 5.

I have a small observation concerning the preamble. It is a poor example for this Legislature to introduce education-related legislation

with a spelling error. I am sure it is of great concern to the minister that about four lines from the bottom of the preamble we have the phrase "be provided to bring the 'stike' to an end."

We would not want to set a bad example to the educational system by passing legislation in relation to education that contains a spelling error. They would not want it at Ridley, I am sure the member for Lincoln (Mr. Andrewes) would agree, and we could not have it enshrined in legislation that way.

Motion negatived.

Mr. Chairman: We have to deal with the stacked votes.

4:30 p.m.

The committee divided on Mr. Allen's amendment to subsection 5(1), which was negatived on the following vote:

Ayes 30; nays 42.

The committee divided on Mr. Conway's amendment to subsection 5(1), which was negatived on the same vote.

The committee divided on Mr. Conway's amendment to subsection 5(5), which was negatived on the same vote.

The committee divided on whether section 5 shall stand as part of the bill which was agreed to on the same vote reversed.

Section 5 agreed to.

Bill, as amended, ordered to be reported.

On motion by Hon. Mr. Wells, the committee of the whole House reported one bill with certain amendments.

COLLEGES OF APPLIED ARTS AND TECHNOLOGY LABOUR DISPUTE SETTLEMENT ACT

Hon. Miss Stephenson moved third reading of Bill 130, An Act respecting a Labour Dispute between the Ontario Public Service Employees Union and the Ontario Council of Regents for Colleges of Applied Arts and Technology and the Boards of Governors of Colleges of Applied Arts and Technology.

Mr. Rae: Mr. Speaker, the week has taken its toll on my voice.

Interjections.

Mr. Rae: The member should not be mean.

As a result of the fandango which occurred about half an hour ago, the Minister of Colleges and Universities has now withdrawn her amendments to Bill 130 which would have provided an amendment to article 4 of the collective agreement.

I would point out to her that as a result of that withdrawal—which was as unexpected for me as I am sure it was for her—we now have an absurdity compounded upon an absurdity. An arbitrator will be dealing with a collective agreement and the collective agreement will now be silent on the entire question of instructional assignment, hours of work, maximum teaching hours for nursing per year and maximum contact days per year. It will be silent on the question of assigned hours of work for librarians and counsellors and all the other questions contained in these four pages.

The minister is leaving the teaching profession and all the people who are working in the community colleges without any protection whatsoever as far as their hours of work are concerned in their collective agreement. It is unreal.

I do not know whether the minister understood the implication of what she was doing. I do not know whether today she understands the implication of what she has done. She is assigning to an arbitrator the writing of a collective agreement that is going to have four blank pages in it on the question of instructional assignment.

If the minister says she will write those pages herself because she is going to send a memorandum to the community colleges, that only compounds the problem. That means for the first time since collective bargaining rights were granted to this group of employees, she and her department are unilaterally going to determine their conditions of work. We are going back to the stone age in terms of labour relations and employee relations.

Interjections.

Mr. Rae: Those guys do not know what they have done; they do not know what they are doing; and they will never wake up to it until the Divisional Court throws them out on their face. When the Attorney General stands up and says, "Maybe I will have to consider this Divisional Court judgement," then they will understand.

4:40 p.m.

How many times is it going to take them to learn? They did not learn on Bill 179 or on Bill 111. They are engaging in practices reminiscent of pre-collective bargaining, and the pre-enlightenment days of industrial relations.

The minister is saying, "Go ahead, arbitrator, you can make all sorts of decisions on salaries, vacations, the grievance procedure and all the other stuff, but you cannot write anything about instructional assignment." That is quite a lengthy

article. It is four pages in the collective agreement.

I think the minister should be embarrassed by the advice she has been given. Has she talked to her colleague the Minister of Labour (Mr. Ramsay)? Can she tell me what other collective agreement there is in Ontario today that does not have a clause on hours of work? Can she name one and bring it back and show it to this House and say, "There, that is the example"?

She does not have a collective agreement. She does not even understand that. That point has to be made. In her meddling she has misunderstood the problem. Her meddling has undermined not just one agreement, not just collective bargaining, but the notion that employees cannot be treated like serfs. She is basically going back to pre-enlightenment days.

I began this week by pointing out there was a Santa Claus parade, which some of us with kids stood out in the rain to watch. The float of the Ontario government was called "Santa's Pre-historic Friends." We have had today a revelation of why that float was as appropriate as it proved to be. The government has an absolutely prehistoric attitude towards labour relations and it is going to regret that attitude.

I am very proud of the position our party has taken, a position of principle, over days that have not been particularly easy. I am proud of my colleagues. I am proud of my colleague the member for Hamilton West (Mr. Allen) who has served us well in this.

The minister has made a mockery of the whole process many people have spent years in building up.

Hon. Miss Stephenson: Mr. Speaker, I am constrained to respond briefly. It is my understanding that those provisions currently in the collective agreement related to instructional assignment will remain as they are until the next agreement is negotiated.

I think it is of note that the members of this Legislature have worked diligently for the last two days to ensure that 120,000 full-time students and almost 600,000 part-time students will be able to resume their educational experience in the colleges of applied arts and technology in Ontario on Monday.

4:46 p.m.

The House divided on Hon. Miss Stephenson's motion for third reading which was agreed to on the following vote:

Ayes

Andrewes, Ashe, Baetz, Barlow, Birch, Brandt, Conway, Cousens, Cureatz, Drea, Eaton, Edighoffer, Elgie, Elston, Eves, Fish, Gillies, Gordon, Gregory, Hennessy, Hodgson, Jones, Kells, Kennedy, Kerr, Kerrio, Kolin, Lane, McCague, McKessock, McLean;

McMurtry, McNeil, Mitchell, Newman, Nixon, Norton, O'Neil, Piché, Pollock, Ramsay, Reed, Riddell, Robinson, Ruprecht, Ruston, Shymko, Stephenson, B. M., Sterling, Stevenson, K. R., Taylor, J. A., Treleaven, Walker, Watson, Wells, Williams, Worton, Wrye.

Nays

Allen, Breaugh, Bryden, Charlton, Cooke, Di Santo, Foulds, Grande, Laughren, Lupusella, Mackenzie, Martel, McClellan, Philip, Rae, Wildman.

Ayes 58; nays 16.

4:50 p.m.

The Honourable the Lieutenant Governor of Ontario entered the chamber of the Legislative Assembly and took his seat upon the throne.

ROYAL ASSENT

Hon. Mr. Aird: Pray be seated.

Mr. Speaker: May it please Your Honour, the Legislative Assembly of the province has, at its present sittings thereof, passed a certain bill to which, in the name of and on behalf of the said Legislative Assembly, I respectfully request Your Honour's assent.

Assistant Clerk: The following is the title of the bill to which Your Honour's assent is prayed:

Bill 130, An Act respecting a Labour Dispute between the Ontario Public Service Employees Union and the Ontario Council of Regents for Colleges of Applied Arts and Technology and the Boards of Governors of Colleges of Applied Arts and Technology.

Clerk of the House: In Her Majesty's name, the Honourable the Lieutenant Governor doth assent to this bill.

The Honourable the Lieutenant Governor was pleased to retire from the chamber.

The House adjourned at 4:57 p.m.

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Hansard

Official Report of Debates

Legislative Assembly of Ontario



Fourth Session, 32nd Parliament
Tuesday, November 13, 1984
Afternoon Sitting

Speaker: Honourable John M. Turner
Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday, November 13, 1984

The House met at 2 p.m.

Prayers.

ATTENDANCE LISTS

Mr. Nixon: Mr. Speaker, on a point of order: This actually concerns the government House leader, and I simply draw his attention to the point of order. In the past, we in the two opposition offices have been informed by the minister's office of the lists of ministers who would not be attending question period. This is extremely useful, of course, in putting forward questions and in planning for an exchange.

I am now told this information is not going to be forthcoming. Is that a fact? If so, can the minister indicate that we might renegotiate this matter so this information can be made available?

Hon. Mr. Wells: Mr. Speaker, it was my understanding that we were working on a system, because of certain events that are happening over here, whereby we would get an indication of the ministers to whom members opposite wished to address their questions and then attempt to have those ministers here. Somehow it was felt that this might obviate the need for the lists we had exchanged before.

I would be quite happy to look into the matter. I think our staffs have been exchanging the lists. We can certainly talk about it. We would not want to do anything that would interfere with the opportunity the opposition parties have to question the government of this province.

Mr. McClellan: Mr. Speaker, I want to suggest that perhaps we can put this on the agenda for Thursday's House leaders' meeting.

LEGISLATIVE PAGES

Mr. Speaker: Before embarking on the regular business of the House, I would like to introduce to all honourable members the new pages who have come to work with us for the next few weeks.

Sarah Andrewes, Lincoln; Heather Baptie, Wellington South; Philip Campbell, Perth; Robert Carter, York North; Katie Corkery, Peterborough; Rosa De Pinto, Beaches-Woodbine; Jonathon Doan, Elgin; James Dunsmore, York Mills; Christine Hatt, Essex North; Kelly

Hurlbut, Oxford; James Klodnicki, Muskoka; John Knotek, Leeds;

Naen Lamarche, Welland-Thorold; Natalie Long, Yorkview; Jason Lorenzon, Windsor-Sandwich; Ramona Mikelenas, Halton-Burlington; Kevin Morris, Port Arthur; Rosemary Nagy, Kitchener; Jo-Elle Nelson, Northumberland; Patti-Jo Park, Lambton; Graham Robertson, Cochrane North; Jason Vincze, Oakville; and Ian Watson, Chatham-Kent.

I would ask all members to join with me in welcoming our new pages.

STATEMENTS BY THE MINISTRY

POLLUTION CONTROL TECHNOLOGY

Hon. Mr. Brandt: Mr. Speaker, I am pleased to report that Ontario Hydro announced this morning it is immediately beginning a program to develop promising pollution control technology at its Lakeview coal-fired generating station in Toronto.

Mr. Bradley: At last.

Hon. Mr. Brandt: I will wait for the applause from the other side.

This is Hydro's positive and direct response to a series of extensive discussions initiated by my ministry in our continuing efforts to combat acid rain.

Hydro has advised me of its decision to install a prototype dry limestone injection scrubbing system on one 300-megawatt generating unit, along with state-of-the-art, low nitrogen oxide burners. As experience with the technology increases and it is proved feasible on a 300-megawatt unit, it will then be applied to similar 500-megawatt units at Hydro's other coal-fired station at Lambton, close to the great riding of Sarnia.

With this system, Hydro expects to achieve significant reductions in the emissions of the main ingredients of acid rain, sulphur dioxide and nitrogen oxide.

As members are aware, Hydro's sulphur dioxide and nitrogen oxide emissions have been under a nonappealable government regulation since early 1981. The object is to reduce these emissions by 43 per cent by 1990.

Hydro must have its acid gas emissions from coal-fired plants down to 450,000 tonnes by

1986, and is not to exceed that level in 1987, 1988 and 1989. After 1990, the allowable limit drops to 300,000 tonnes. We do not mandate technology; we regulate maximum emission levels. How Hydro reduces its emissions is entirely up to it, but do it, it must.

As members know, Hydro is heavily committed to expanding its capability of generating electricity from nuclear plants. It is a world leader in that field. The nuclear plants do not contribute to the acid rain problem and, therefore, are considered to be a major part of the strategy to reduce the overall contributions to acid rain through power generation. Coal-fired plants in our province provide the necessary backup; they will likely be with us for the foreseeable future.

The scrubbing of pollutants by means of dry limestone injection is a technology well suited to the coal-fired generating stations operating during periods of peak demand. Powdered dry limestone is injected directly into the furnace where it reacts with sulphur dioxide and reduces the amount that goes up the stack and into the air. The byproduct is collected with the fly-ash by electrostatic precipitators or baghouse filters.

The initiative announced today will advance the technology to control acid gas emissions from coal-fired generating stations and provide a demonstration of an alternative means of controlling acid gas emissions.

I welcome this very tangible expression of Hydro's determination to advance the technology of sulphur and nitrogen removal from thermal generating emissions. I know my colleague the Minister of Energy (Mr. Andrewes) shares this viewpoint. Both of us are concerned that emissions from all sources be substantially reduced so Ontario can continue to play its role in the reduction of acid rain.

In this regard, I should point out that Hydro may well be required to make further reductions by 1994, by which time Canada and the eastern provinces have agreed to limit emissions to a total of 2.3 million tonnes. That decision will be reached as the allocation of reductions is worked out by the provinces in the eastern part of the country and the federal government. If we could achieve a similar commitment internationally, we could have the problem of acid rain under control.

2:10 p.m.

BIRTH OF MEMBER'S GRANDCHILD

Hon. Mr. Norton: Mr. Speaker, prior to my formal statement, perhaps I can exercise my

privilege as Minister of Health to bring to the attention of the members of the Legislature the fact that the member for Brock (Mr. Welch), the Deputy Premier of Ontario, on the weekend became a grandfather for the first time to Katherine Elizabeth Jayne Kerley. She was born on Sunday, November 11, at St. Catharines General Hospital. We offer our congratulations to the family.

HEALTH PROTECTION AND PROMOTION AMENDMENT BILL

Hon. Mr. Norton: Mr. Speaker, later today I will be introducing three bills to amend various health-related statutes.

The first bill, an amendment to the Health Protection and Promotion Act, 1984, responds to the government's commitment in the throne speech to encourage the provision of French-language health care services in those parts of the province with significant francophone populations.

As the honourable members are aware, the Health Protection and Promotion Act now requires all boards of health to provide or ensure the provision of a minimum core of basic public health services. The proposed amendment will guarantee that these mandatory programs are accessible to French-speaking Ontarians in their own language in designated areas of the province.

Under the amendment, the specific boards and areas will be designated by regulations under the Health Protection and Promotion Act. It is our intention to define the areas parallel to those now designated to receive provincial government services in the French language. I am pleased to note that most of the health units that will be affected by this amendment report that they already have sufficient French-speaking staff to meet the new requirement.

Mon ministère s'est engagé depuis longtemps à offrir une gamme étendue de services de santé en français à la population francophone de l'Ontario. Considérant l'importance croissante de la promotion de l'hygiène et de la prévention des maladies dans notre province et les mesures que mon ministère adopte présentement pour favoriser cette croissance, la prestation des services de santé essentiels en français doit maintenant avoir la priorité.

Mr. Wrye: He is the fifth man.

Hon. Mr. Norton: I do not regard myself as being on the fringe.

Mr. Rae: I understand it is better than anything he said in English.

Mr. Speaker: Order.

Hon. Mr. Norton: Thank you very much for this show of support.

My ministry has a long-standing commitment to offer a wide range of French-language health services to francophone Ontarians. With the growing importance of health promotion and disease prevention in our province and the steps my ministry is now taking to encourage that growth, the provision of key public health services in French is now to be given priority.

IMMUNIZATION OF SCHOOL PUPILS AMENDMENT BILL

Hon. Mr. Norton: Mr. Speaker, the second measure is an amendment to the Immunization of School Pupils Act. It will extend the grounds for exemption from the immunization requirements to include grounds of conscience. It will also provide a penalty for those parents who fail to have nonexempt children immunized.

At present, exemptions from compulsory immunization are allowed only on medical grounds or because of religious beliefs. A few children in the province have been excluded from school because of parental convictions that, though not religious, represent strong and deeply held philosophical views. We believe the law should respect these personal convictions.

This amendment is particularly appropriate in the light of the Canadian Charter of Rights and Freedoms, which guarantees freedom of conscience and religion. We are advised by the Attorney General (Mr. McMurtry) that the broader exemption provision would be more consistent with the letter and the spirit of the charter. As members are aware, it is government policy to bring all Ontario legislation into conformity with the tenets of the charter.

I am pleased to inform the House that because of the diligence and dedication of local public health workers, the immunization campaign has made excellent progress. As of the end of the academic year this June, 80 per cent of the school population had been assessed and, among this group, immunization levels had reached 93 per cent or higher. The remaining school pupils will be assessed in the current year.

We do not expect this broader exemption provision to affect the overall efficacy of the immunization program. Religious exemptions thus far represent only one eighth of one per cent of all the pupils assessed.

On the basis of the experience of other jurisdictions, we expect that the combined exemption rate for both religion and conscience

should not exceed one quarter of one per cent, a level that would be compatible with the protection of public health. I would also remind the House that medical officers of health will retain the right to exclude all nonimmunized pupils from school in the event of the outbreak of a disease.

To deter frivolous use of the exemption procedure, the bill provides that the statement of conscience or religious belief must be in the form of an affidavit. As the law currently stands, the only sanction for nonimmunization is suspension from school. This penalizes the child when it is the parent who is properly responsible for the child's immunization status.

Therefore, to encourage parents to carry out their responsibilities, the bill will establish an additional sanction. It provides for a fine of up to \$1,000 for parents who fail to ensure that a child meets the immunization requirements.

In short, the bill will ensure fairness in the implementation of the universal immunization campaign while advancing the goal of safeguarding community health.

HEALTH PROFESSIONS STATUTE LAW AMENDMENT BILL

Hon. Mr. Norton: Mr. Speaker, the third and final bill proposes amendments to several statutes governing various health professions. The major provision will extend to nine health professions, the government's authority to make, amend or revoke a regulation in the event that a governing board fails to do so at the request of the Minister of Health.

Cabinet currently has this power to act in the governing board's place under the Health Disciplines Act, which covers five major health professions, and under two other statutes. The proposed amendment will embed this authority in the remaining five regulatory acts affecting professions such as chiropractors, ophthalmic dispensers, psychologists and physiotherapists.

While the need to use this authority has arisen infrequently, the ministry is accepting the advice of the health professions legislation review that we establish regulatory control across the full spectrum of health care disciplines.

The remaining provisions of this bill are essentially housekeeping amendments. Several changes pertain to the nursing part of the Health Disciplines Act. The council of the College of Nurses of Ontario will be empowered to make regulations on record-keeping tailored to the variety of settings within which nurses practise.

The discipline committee of the college will be expanded from 10 members to 24, of which four are to be lay representatives appointed by the Lieutenant Governor in Council. The bill authorizes discipline panels with lay representation to be established in order to expedite the disciplinary proceedings of the college.

The amendment will provide for the investigation of alleged professional misconduct or incompetence. It also obliges all persons engaged in the administration of the nursing part of the act to preserve confidentiality. These new sections parallel existing provisions for the other four professions under the Health Disciplines Act.

Among other changes, the Dental Technicians Act will be amended to authorize exemptions from any provision of the act or the regulations. Under the Ophthalmic Dispensers Act, the age requirement for registration is being repealed.

I am confident these bills will promote the smooth functioning of the regulatory process within our health care system, a process that is an essential component for protecting and continuing the high level of health care that we know in this province.

2:20 p.m.

CONGRATULATIONS TO JAMES ALLAN

Hon. Mr. Snow: Mr. Speaker, today I have a very pleasant and agreeable task to perform for the House, one made even more satisfying by the fine individual it involves. I would like the honourable members to join me in wishing a very happy 90th birthday to one of the most outstanding parliamentarians ever to serve this province, Mr. James Noble Allan, or Jim Allan, as he was much better known in this chamber.

I was never that young when I was around this place, but I might say it was 15 years ago today, when I was a relatively young back-bencher in the back row, that I took the opportunity to bring to the members' attention that it was Mr. Allan's birthday, at that time his 75th, and that he was just beginning his fourth quarter century of public service to this province.

Jim is with us today in the members' gallery, as the members have seen, along with his son Harvie and his daughter Jean, although he would probably feel much more at home down here on the government benches, for he made many friends on both sides of this House during his 24-year career in this Legislature. Quite a few people here will tell you Queen's Park has never been quite the same without his warmth and wit.

We would like to try to repay Jim, at least in part, for those many years of dedicated service. Therefore, as a small gesture towards the role he played in shaping this province's recent history, we have chosen to rename the twin spans of the Burlington Bay Skyway in his name.

We feel it is a fitting tribute in the light of the fact Jim played a very instrumental part in developing Ontario's excellent network of roads as Minister of Highways from 1955 to 1958, including, I might say, the time when most of the construction of the first Burlington Bay Skyway took place. I can personally testify that he has left a considerable legacy behind.

Jim Allan was Minister of Highways during a particularly prosperous time in Ontario's past, an era when road-building was one of the province's top priorities. If one needs confirmation of his achievements, all one has to do is take a look at the Ontario road map. Many of the province's major highways were either built or initiated during his term.

He handled his portfolio with expertise, efficiency and the commitment that characterized his entire 56-year career in Ontario politics, from the time he was elected to Canborough township council in 1919 through to his five-year stint as Ontario Treasurer from 1961 to 1966. No matter how heavy his cabinet duties became, he always had time for his constituents in Haldimand-Norfolk.

We have much to thank Jim Allan for, but I hope he will be pleased with the modest honour we are bestowing upon him. The Burlington Bay Skyway has become a landmark in southern Ontario. The current project under way to build a second span will make it an even more integral part of the provincial highway system. Thus, it seems only fitting that it should be named the James Allan Skyway.

I am convinced this project will be one Jim Allan will be proud to have his name associated with, just as we are proud to establish this lasting tribute to a fine citizen of Ontario.

I might mention to my honourable colleagues that Jim and his son and daughter will be with us briefly this afternoon, but he will not be able to stay too long as he must rush to get back to Niagara Falls where they are hosting a 90th birthday party for him this evening.

Mr. Nixon: Mr. Speaker, my colleague the present member for Haldimand-Norfolk (Mr. G. I. Miller) is going to have a few words to say in a moment, but on behalf of my colleagues, I want to join with the Minister of Transportation and Communications (Mr. Snow) to express our very

best wishes to Jim Allan on his 90th birthday and our appreciation for his good example and his friendship over those years.

It is characteristic of the modesty of the man, either that or the inefficiency of the Minister of Transportation and Communications, that he is sitting in the shadows in the back row of the gallery on a day when we would like to see him out in the front. He never did put himself forward. He always did a good job whenever he was asked to do so.

I want to say something about that because as minister of transportation—it was Minister of Highways in the good old days—he supervised a budget that expanded year by year as the economy of the province expanded. Those were the days when we were serving all parts of the province with the kind of highways we wish we could afford now. Somehow or other the present minister does not have the clout with his cabinet colleagues—

Interjections.

Mr. Nixon: I think I had better let that one go.

In that connection, I would feel much safer riding on the James Allan Skyway than on the James Snow Parkway. At least the former minister kept his personal views out of these things.

We are delighted that this recognition for Mr. Allan is being brought to the House today. I sat with him in this House for about 13 years and we shared the responsibility of representing the fine people of the then county of Norfolk, which went out of existence as a county not too many years ago.

As Treasurer he also set a great example for those people who have had the responsibility subsequently. He did not balance the budget every year, but he was able to do so almost every year. In the years when there was what he called a shortfall—that is a word we do not here very much from that side; they talk about net cash requirements now—it was because the money was spent for good roads and even more good roads.

Jim Allan goes back in the community a long way. He graduated from the Ontario Agricultural College in about 1913 or 1914. His roots in the agricultural community are very deep and he continues to command a good deal of respect in that way.

After he was more or less demoted from the ministry by the powers that be, he was still an extremely effective back-bencher. There are a few people here who might listen to what he was able to accomplish as a member of the public accounts committee. That was when the public

accounts committee was resurrected with its strength and leadership from the opposition, at least in part. Jim Allan as a government spokesman, and particularly with his experience as Treasurer, was often in the forefront of those who could bring his former colleagues in the cabinet before that committee to answer questions that effectively indicated his concern about the public purse.

He also ran a very effective campaign for the leadership of his party in 1971—

An hon member: It was 1961.

Mr. Nixon: Yes. It was the time Mr. Robarts won. In that connection, it is interesting to see that his involvement in politics has continued. His breadth of vision has been maintained. He is still chairman of the Niagara Parks Commission and I understand he is going back to Niagara Falls for a meeting of that commission later today.

He is so up to date on the issues and is such an effective politician that if I were a Tory looking at the timorous and reactionary alternatives offered by the present contenders for leadership, I would be tempted to turn to Jim Allan and suggest he should look at the leadership again.

Jim Allan was a very good friend of my dad when he was a member. He is a very good friend of mine. We were political opponents. I used to work hard against him in elections and he used to work hard against me. I will not talk about our various successes, but he was a worthy political opponent. More than anything else, he was an outstanding politician with the very best motives a politician could ever have.

He is a man who is proud of his family connections in Dunnville, a man who realized that friendships transcended political boundaries and divisions, a man we on this side are very proud to call our friend. We look forward to riding on his skyway with confidence and we wish him many years of health, happiness and public service.

2:30 p.m.

Mr. Stokes: Mr. Speaker, I would like to join with the member for Oakville and the member for Brant-Oxford-Norfolk (Mr. Nixon) in paying tribute to an outstanding Ontario citizen. I had the privilege of watching him in action during my earlier years in this House. It was obvious back then that he showed leadership, compassion and the abilities that all of us in this assembly should try to emulate.

I had the privilege of sitting on a good many committees with him, and of watching him perform in the House. My colleague the member for Oshawa (Mr. Breagh) reminds me that as

recently as a few days ago Mr. Allan, as chairman of the Niagara Parks Commission and as a member of the Niagara Bridge Commission, spent a whole day giving evidence before a committee of this House. He was well listened to. Whenever he spoke, he had something to say. He was as sharp as a tack. For all his 90 years, it is obvious that he is still making a very significant contribution to the life of everybody in this province.

I had the pleasure of travelling with Jim Allan to northeastern Ontario during a members' tour in 1972 when we had the opportunity to spend a few hours up on Holly Lake. I see my colleague the member for Scarborough East (Mrs. Birch) smiling because she has something to smile about. She and Jim Allan spent most of that time in a canoe going up and down Holly Lake.

Interjections.

Mr. Stokes: They were the most successful duo at catching fish, more successful than anybody else in this entire Legislature and certainly more than anybody who was on that trip.

Another thing I envy Mr. Allan for is that as chairman of the Niagara Parks Commission he was able to persuade the Treasurer of this province that the water rentals that would normally accrue to the consolidated revenue fund in Ontario should not go into that fund. They now go into a special fund that Jim Allan has some responsibility for. I am told it amounts to something in the neighbourhood of \$2.7 million a year which helps with that beautiful creation we have, called the Niagara Parks Commission. I want to speak privately to Jim to find out how he did it because I want to do the same thing for something I hope will ultimately be known as the Nipigon parkway commission.

I know that anybody who has known Jim Allan will appreciate the tremendous contribution he has made not only to his area of the province but to the entire province, because I am told he is probably the last Treasurer in this province who ever came into this House with a balanced budget.

I would like to join with the member for Oakville and the member for Brant-Oxford-Norfolk in thanking him on behalf of members of this party for the tremendous contribution he has made and to wish him many years of peace, happiness, good health and contentment in the future.

Mr. G. I. Miller: Mr. Speaker, as the member for Haldimand-Norfolk, I also would like to take

this opportunity to congratulate James N. Allan on his 90th birthday today, November 13.

As one of Haldimand-Norfolk's most distinguished citizens, Mr. Allan was first elected to the Ontario Legislature as the member for Haldimand-Norfolk in 1951 and held that position until 1975. He was appointed Minister of Highways, January 5, 1955, and Treasurer and Minister of Public Works, April 28, 1958. He relinquished the Public Works portfolio on December 22, 1958. He was Provincial Treasurer from November 8, 1961, to November 24, 1966, and was appointed Minister without Portfolio on November 23, 1966. He gave up that position on January 19, 1968.

Last night I delivered a scroll to his home in Dunnville on behalf of the Premier (Mr. Davis) and the province, only to find he was at the horse races. I just want to say to the members that I hope we are all as healthy as Mr. Allan when we attain the age of 90, because he still drives a car and is very active in the community.

I would like to wish him a happy birthday and offer my congratulations to him on the naming of the James Allan Skyway, the former Burlington Bay Skyway, after him.

PUBLIC COMPLAINTS COMMISSIONER

Hon. Mr. McMurtry: Mr. Speaker, on June 22, 1984, I advised the House I would be bringing forward legislation to convert the office of the public complaints commissioner from a pilot project to an ongoing part of the administration of justice. I am pleased today to table legislation in accordance with my commitment.

As I stated in June, the pilot phase of this initiative has been an outstanding success. I will be tabling along with this legislation an analysis of the first two and a half years of the project's life, together with two annual reports, a pre-proclamation report and the special Morrish Road and holdup squad reports. All of these documents demonstrate how important this office has been to police-community relations in Toronto in the past three years.

As I indicated in June, continuation of the project was supported by the chairman of Metropolitan Toronto, the senior management of the police force and the president of the Metropolitan Toronto Police Association. I am pleased to say the new Metro chairman, Dennis Flynn, has also advised me of his support.

The legislation I will be tabling later this afternoon is philosophically identical to the existing act, in that it establishes a public complaints system which places initial responsi-

bility for investigating and resolving complaints with the chief of police. The police investigations and resolutions of complaints are monitored by an independent civilian agency that has its own powers of investigation and the ability, when it is in the public interest, to refer cases to independent civilian boards of inquiry for adjudication.

This new bill makes a number of changes, all of which, I believe, will improve upon the existing act. I am pleased to advise the House most of these changes were developed by the present public complaints commissioner, Mr. Sidney Linden, QC, as a result of his experience during the three-year pilot phase and in consultation with community groups, the police association and representatives of the senior management of the police force.

I know the proposed revisions represent a fair compromise and pay full respect to the views of the participants. The principal changes reflected in the bill are fully summarized in the explanatory notes to the bill, and I will therefore not take the time of the House to review them at this point.

I look forward to early consideration of this legislation by all members of the Legislature.

RED MEAT INDUSTRY

Hon. Mr. Timbrell: Mr. Speaker, as the honourable members know, the red meat industry is a cornerstone of Ontario's agricultural economy. The difficulties those in this business have encountered over the last number of years and the challenges and opportunities they face are also well known.

Earlier this year I announced my ministry's comprehensive, forward-looking plan to help secure the industry's future. As part of this, I appointed two commissions. These were to examine all aspects of the current marketing systems for beef and sheep in this province. Having done so, they were to bring forward plans for the future.

I am pleased to report that both commissions have fulfilled their mandates with dedication and thoroughness. I have with me today, and will table later before this House, two reports—the report of the Sheep Marketing Agency Commission and the report of the Beef Marketing Agency Commission. Both are extremely detailed and thorough and are the result of considerable consultation with producers. The beef commission conducted 22 public meetings across the province and the sheep commission 13. Hundreds of written and oral submissions were

presented to both. Out of this has come a wide-ranging series of recommendations.

2:40 p.m.

I am making copies of the commissions' reports available to members as well as releasing them to the media, the Ontario Cattlemen's Association and the Ontario Sheep Association. In addition, the recommendations of both commissions will be published in the next issue of my ministry's publication OMAF News, which goes to all farmers in the province.

A good deal of thought and hard work went into these two reports, and at this time I should like to commend the members of the beef and sheep commissions. These individuals are well known to members.

The Beef Marketing Agency Commission was chaired by Mr. Henry Davis, vice-chairman of the Ontario Farm Products Appeal Tribunal. Its members were Mr. Murray Gaunt, a former Liberal member of this House and a TV commentator with a diverse agricultural background, and Mr. Ralph Barrie, a beef farmer and former president of the Ontario Federation of Agriculture.

The Sheep Marketing Agency Commission comprised chairman Jack James, a sheep producer and breeder and former president of the Ontario Sheep Association. Its members were Mr. Walter Renwick, a sheep producer and vice-chairman of the Canadian Sheep Council, and Mr. Garth Noecker, a sheep producer and chairman of the marketing committee of the Ontario Sheep Association.

These six individuals have performed a valuable service for their respective industries, and a number of them are in the Speaker's gallery today along with, in a few instances, their spouses. On behalf of the members of the House and the two industries, I want to thank them here today for their work.

In releasing these reports, I am asking the Ontario Cattlemen's Association and the Ontario Sheep Association to be responsible for the consultative process with Ontario producers. These two organizations represent those producers most affected by the commissions' proposals. In giving this mandate to the OCA and the OSA, I am conscious of the need to ensure that all beef cattle producers and all sheep producers clearly understand the commissions' proposals before any decisions are taken.

As the members know, I took action on establishing a financial protection program for the beef industry a little more than two years ago. I did so because of the urgency of the situation

then and in the absence of what I believed was a consensus among producers on the issue. The matter before us today, though, will establish the course of the red meat industry for years to come. It is my belief that government should not dictate that future.

I wish to assure all producers and the members of this House that no action will be taken without an expression of opinion, in the form of a vote of producers, on the matters raised in these reports.

ORAL QUESTIONS

JOB SECURITY

Mr. Peterson: Mr. Speaker, I have a question for the Treasurer. He was here. Has he disappeared again, or can someone assist me?

Mr. Bradley: He is polling.

Mr. Peterson: He is polling. Has he disappeared for a long period of time? Can you assist me in this matter? Can I stand here and wait for him?

Mr. Bradley: Phil, is he back there?

Mr. Peterson: Will the member for Brantford (Mr. Gillies) take the question for him?

Mr. Nixon: The member for Brantford is co-chairman.

Mr. Bradley: The member for Brantford could take the question.

Mr. Speaker: Question, please.

Mr. Peterson: Mr. Speaker, has he been summoned? Can anyone assist me in that regard?

Mr. Speaker: Perhaps you can proceed with another question to another minister.

Mr. Bradley: Here he is. The member has smoked him out.

Mr. Peterson: I cannot tell. There is a mystery there about who is going to come out.

Mr. Nixon: The Treasurer should get all the help he can.

Mr. Speaker: Proceed, please.

Mr. Peterson: Mr. Speaker, I have a question to the Treasurer with respect to the economic statement of the federal Minister of Finance of last week. In that statement we heard a great deal of talk about the new federal-provincial co-operation that was supposed to set the new agenda and the new tone in this country.

The Treasurer will be aware that Mr. Wilson had an econometric model of the number of jobs lost in the country—at least he revealed that after his statement—but he then failed to share that information with the people of this country. How

many jobs is that statement going to cost Ontario?

Hon. Mr. Grossman: Mr. Speaker, quite clearly, taken in toto, that statement will create hundreds of thousands of jobs in Ontario.

Mr. Peterson: It is obvious the Treasurer has tied his little wagon to that statement. Is he telling me that he does not agree with Michael McCracken of Informetrica, who has forecast nationally a loss of at least 40,000 to 50,000 jobs as a direct result of that statement? That would translate into between 14,000 and 20,000 jobs that are going to be lost directly in Ontario. Who is speaking up for Ontario?

Hon. Mr. Grossman: I guess the people speaking for Ontario are the people who stood in this House last May and said we would have 4.7 per cent growth, which actually produced 5.2 per cent growth, while other people across the floor, led by the Leader of the Opposition, predicted there was no way we would have 4.7 per cent growth.

I guess the people speaking for Ontario are the people who are somewhat responsible for the fact that of the 32,000 jobs created in Canada last month, 29,000 of those jobs were created here in Ontario.

Finally, I think the people speaking for Ontario are the people who endorse policies at the national level when indeed sometimes they hurt a bit. But after 16 years or so of an administration that the Leader of the Opposition himself heartily endorsed and campaigned for, those people who stand on this side of the House say: "Those policies are long overdue. Those policies will create hundreds of thousands of jobs in the long term and are policies that, in the words of the federal Minister of Finance, will return the future to the people of Canada." That is whom we support.

Mr. Rae: Mr. Speaker, the Treasurer must know that taking more than \$4 billion directly out of the Ontario economy in expenditure and hundreds of millions more in taxes is not good for jobs, for growth or for the economy of this province.

Mr. Speaker: Question, please.

Mr. Rae: Can the Treasurer tell us why his ministry has not prepared any figures on the impact on this province? Why has he pulled his punches now, when at any other time he has always been prepared to come forward, give the figures and give the information? Why is he hiding the information now? Why is he pulling

his punches just at a time when this province and the workers of this province need defending?

Hon. Mr. Grossman: Mr. Speaker, let me be quite clear about it. What the workers of this province need is not the kind of policies the leader of the third party advocates, which in essence say that government capital projects and government spending is the way to create jobs and to rebuild our economy in the longer term.

What the workers of this province need is politicians like my Premier and this party, who will have the courage to stand up and say: "Yes, the increase in the price of oil will hurt Ontario in the short term. It will not be helpful." Equally, it will take some degree of political courage on this side of the House to stand up and say: "In the best interests of Canada, in the best interests of rebuilding this economy, we must have the courage not to stand up here and take simplistic, narrow positions but to stand up for the better good of everyone in Canada."

Simply, this side of the House reflects the difference between narrow, government-based, short-term decisions and broad, strategic, private-sector-based, courageous, long-term administration. We support that over here.

Mr. Peterson: Is the Treasurer saying that his Premier and his own predecessor, now the Minister of Industry and Trade (Mr. F. S. Miller), attacked the budget of then Prime Minister Joe Clark and his then Minister of Finance, John Crosbie, on his 18-cent increase in energy prices? Is he saying that when they were putting that different position from the one they are putting now, they were being simplistic and narrow politicians?

2:50 p.m.

Hon. Mr. Grossman: There are very great differences between the oil price increases at an earlier time and oil price increases today. Let us look at them.

Mr. Reed: Explain it to us.

Hon. Mr. Grossman: I am going to explain it to my friend. He should listen carefully; it will help him a bit.

First, this is part of a move to market price in the energy industry. Quite simply, that will mean that as the price for oil moderates up, logically the price of—

Mr. Foulds: Moderates up?

Interjections.

Hon. Mr. Grossman: Unlike that party's standing in the polls, it will moderate up.

Mr. Foulds: How about convoluting around this, Larry?

Mr. McClellan: Moderate off, Larry.

Mr. Speaker: Order, please.

Hon. Mr. Grossman: While the price of oil moderates up when there is a return to the market, equally that means—

Mr. Ruston: Your gas tax is going to moderate up a little too.

Hon. Mr. Grossman: I heard there were 400 people against my friend at the nomination meeting in his riding. He should be careful.

Interjections.

Hon. Mr. Grossman: I am prepared to wait, Mr. Speaker.

Interjections.

Mr. Speaker: Order, please. Surely those of us who are elected here to represent the rights of others must respect the rights of others in this chamber.

Interjections.

Hon. Mr. Grossman: Imagine what their caucus must be like.

Equally, at the same time, the natural gas price, like that party's standing in the polls, moderates downwards. That makes this oil price increase significantly different from previous ones.

Second, in 1973, an increase of \$1 per barrel in the price of oil represented a 24 per cent increase. Today, because of the variety of changes in the economy since 1973, an increase of \$1 per barrel in the price of oil implies an increase of 2.8 per cent, not 24 per cent as was the case when these oil price increases were originally opposed.

Those are examples of two of the dramatically changed circumstances. A third dramatically changed circumstance is that this oil price change is part of a comprehensive series of steps taken by the federal government—

Mr. Bradley: The Treasurer is being flat-lined.

Hon. Mr. Grossman: My friend should talk about being flat-lined. If I were in his party, I would settle for being flat-lined. I would settle for flat-lining at 23 per cent.

Interjections.

Mr. Speaker: Order. New question.

Mr. Peterson: Give him a chance, Mr. Speaker. Let the man speak. He is moderating down all the time. Let him finish his answer.

Mr. Speaker: New question, please.

FEDERAL TRANSFER PAYMENTS

Mr. Peterson: Mr. Speaker, let me continue to discuss this question of the new federal initiatives.

The Treasurer has invented some new words and some new concepts today, but I suspect they will not get him out of the trouble he is in. As I understand it, he has completely crawled into bed with Michael Wilson and the federal Tories, and he is here supporting whatever they do.

My question to the Treasurer is very serious. He is aware that Mr. Wilson said, about transfer payments, "The growth of these payments has been steady and rapid," and that he is now talking about cutting those transfer payments to the provinces. Is the Treasurer going to support the cuts he will make in transfer payments for health, education and social services in this province or is he going to stand up and speak for Ontario? Which position is he going to take?

Hon. Mr. Grossman: Mr. Speaker, last Friday night the—

Mr. Sargent: Answer the question.

Mr. Speaker: Order.

Hon. Mr. Grossman: Last Friday night the federal Minister of Finance invited the provincial ministers of finance and their deputies to join him Ottawa for a four- or five-hour meeting.

Mr. Peterson: Was it a nice dinner?

Hon. Mr. Grossman: I will tell the Leader of the Opposition why it was a nice dinner. In the time I have been serving in cabinet, it was unheard of for federal Ministers of Finance to call us together for a constructive consultation.

Mr. Peterson: Does nobody else invite the Treasurer out for dinner? Is that his problem?

Interjections.

Mr. Speaker: Order.

Hon. Mr. Grossman: I will tell them what the history has been.

Mr. Peterson: He takes the Treasurer out to dinner and then to the cleaners.

Hon. Mr. Grossman: Where was the Leader of the Opposition when Allan MacEachen cut the transfer payments?

Mr. Speaker: Order; supplementary question. We are spending far too much time.

Mr. Peterson: When the six and five program came in, the Treasurer squawked that he was losing \$41.7 million last year. The government squawked it was losing \$95.6 million this year that should have been coming to Ontario. It squawked then; why is it not squawking now?

Hon. Mr. Grossman: If the honourable member reads the statement carefully, he will see the transfer payments to Ontario have not been cut. Unlike the era of Monique Bégin, Allan

MacEachen, Marc Lalonde and Pierre Trudeau, which the member supported on the hustings, in this House and in the media, Michael Wilson has undertaken a dialogue with his provincial colleagues and is discussing things with us.

He has not cut those payments implicitly or explicitly, by threats, by fiat or by order. All those things were the hallmarks of the people the member himself referred to as his millstones. He campaigned up and down the country for those people who unilaterally cut the transfer payments to this province without consultation, driving up tax rates and deficits in this province and, incredibly, not even reducing their own deficits. Those are the people the member clearly endorsed.

This administration in Ottawa invited us there to talk about the future and to discuss transfer payments. Every finance minister from the 10 provinces told the federal government that cuts in transfer payments were unacceptable, that this had already been done by the previous administration, that it was untimely and could not be taken on by the provinces; that we had done our share and that transfer payment cuts, simply put, would be fought well, carefully and at every turn by every province.

This government is speaking for the people of this province, regardless of party affiliation. The members opposite are the people who campaigned proudly for their millstones—to use the member's word—who got the pattern of transfer payment cuts with no consultation, punishing the province for their own sins. The member should be the last to rise in his place and speak on that issue.

Mr. Rae: Mr. Speaker, what the minister is giving us today is nothing more or less than ideological claptrap. He is asking us to believe—

Hon. Miss Stephenson: We listened to three days of ideological claptrap.

Interjections.

Mr. Rae: Moderate off.

Hon. Miss Stephenson: You moderate down.

Mr. Speaker: I presume the honourable member has a question.

Mr. Rae: I do, Mr. Speaker.

The Treasurer talks about fighting the cut-backs in transfer payments to Ontario. Why would he expect Ottawa to listen to him when his government is engaged in precisely the same kind of mean-spirited, Dickensian, reactionary policies with respect to transfer payments to its own municipalities, hospitals and schools in Ontario?

Does he not realize that he is now caught up in the whirlwind of this Reaganite counterrevolution that nobody endorsed and that the government itself is now reaping the whirlwind it began to sow?

3 p.m.

Hon. Mr. Grossman: Mr. Speaker, did the honourable member use the words "ideological claptrap"? If I can borrow that phrase for a moment, let me say quite clearly to him that all the rhetoric and invective that the member's caucus office wrote for him to use in that outburst are totally wrong. There is nothing of substance to back up those epithets.

Let me be clear. Some time next year he can take—to borrow the member's words—his ideological claptrap to the public, and this government, under whoever succeeds in January, will take its version of belief in free enterprise and the private market out there to the public. I am willing to bet the member that there will be Tories sitting over on the opposite side of this House, all right, but they will be the overflow from this side of the House. Let us test the public on ideological claptrap.

Mr. Peterson: Mr. Speaker, it would be interesting to know about this dinner discussion on Friday night.

Mr. Speaker: Question, please.

Mr. Peterson: I would like to read to the Treasurer what Mr. Wilson stated in his document on Thursday night. Referring to transfer payments, he said: "The growth of these payments has been steady and rapid. If the federal government is to contain its expenditures in general, it is appropriate to ask whether transfers to the provinces should be insulated from policies of restraint. The answer is not simply to top up federal or provincial funding for health and post-secondary education. The answer is not simply more money."

From his discussions over dinner, would the Treasurer be good enough to tell me what that means?

Hon. Mr. Grossman: It means Mr. Wilson put out that policy paper and invited us to Ottawa to receive the documents and to have some preliminary discussion about them. There is nothing in there that says they have decided to cut transfer payments. In fact, my colleagues the Premier and the Minister of Industry and Trade and I sat at many first ministers' conferences in Ottawa after transfer payments had been cut without the slightest suggestion of consultation or dialogue.

There is no question that those words were in there and there is no question that this was discussed at the meeting Friday night. Let us be clear about it. If the member wants to try to criticize this government for not fighting those words, he cannot, because I told the federal Minister of Finance—and I have nine other provincial finance ministers joining me in this—that further transfer payment cuts hard on the heels of the unilateral ones that the friends of the member opposite put in three years ago were unacceptable and would be fought at every turn by this province.

So let me be clear before the member goes out somewhere else and suggests that we are not fighting transfer payment cuts. The federal minister raised those items in that discussion paper. Ten provinces said we were prepared to fight hard on every count if there was any suggestion that transfer payments would be cut.

If the member wants to criticize the federal government for even discussing it, he should feel free; I have criticized them for it. But he should not go out and suggest that we are not fighting transfer payment cuts. Indeed, he should not suggest that transfer payment cuts have been made, either. Both of those statements would be inaccurate, and I know the member would not want to be, once again, inaccurate.

PLANT SHUTDOWNS

Mr. Rae: Mr. Speaker, I have a question for the Minister of Labour concerning the outrageous decision by Black and Decker to close its plant in Barrie. Six hundred jobs are being lost.

If an individual, with or without a union contract, is fired and if that individual sues for unjust dismissal, the company has to produce before a court documents giving reasons and explanations and has to give a cause for dismissal before a court. Can the minister then tell us why it is that when a company decides not to fire one person but to close down an entire plant, in this case affecting 600 jobs, it does not have to give any explanations, does not have to produce any justification and does not have to go before a tribunal to justify that kind of unwarranted decision? Why the double standard in Ontario?

Hon. Mr. Ramsay: Mr. Speaker, Ontario is not unique; in fact, there is not a jurisdiction in North America that has legislation in place that would cause a company to go before a tribunal upon closure, to open its books or to justify its reasons for closing up shop. Ontario is not unique in that respect.

Mr. Rae: I always thought Ontario was the best in the world. We hear from every other minister that this is the best place going, that we have things going here that nobody else has. Why can the minister not match that in terms of deeds?

Is the minister aware that on the 8K form for 1983 that General Electric filed with the United States Securities and Exchange Commission, because they do have some requirements in terms of information down there, the Canadian housewares division was reported as having pretax profit of \$6.6 million? That was in 1983 when that company was Canadian General Electric.

Now that its housewares division has become Black and Decker, company officials of Black and Decker have told the Globe and Mail, told me and, I am sure, told the minister, that the plant has been losing money for several years. Does the minister not think it would be wise, and fair to the employees concerned, that there be some tribunal established that requires the company to come forward and reveal its financial information and the kind of information that is going to result in the hardship for Barrie that is being produced by this decision?

Hon. Mr. Ramsay: I share the concern of the leader of the third party in respect of the conflicting stories. The union officials have referred to some documents from the United States. Meanwhile, a number of weeks ago and since then, the senior officials of the Canadian company have provided me with completely opposite information. I do not believe this is the place and time to debate who is right and who is wrong because I am sure there is a measure of justification in both positions.

What I am setting up at the present time is a meeting with the senior American officials of this company. We would meet them here in Toronto and I would like to invite representatives from the union and from the municipal government in Barrie who are anxious to meet with the US officials. We could also have two representatives from each of the parties opposite; we would be happy to have them. We could sit down and decide who is right and who is wrong as to the financial circumstances of this company. We are in the process of setting that up right now.

Mr. Peterson: Mr. Speaker, there are some policy aspects as well, both federal and provincial, that the minister must be involved in. My understanding of this case is that it was approved by the Foreign Investment Review Agency but a number of the jobs were exported to Brockville and a number of jobs from Brockville were exported back to one of the US plants.

Mr. Speaker: Question, please.

Mr. Peterson: Would the minister not agree that this is not a time to hold open season on any Canadian company that may lose jobs to the US, but that this is a time to make strong representations, both federally and provincially, and that he is the minister responsible for keeping those jobs here in Canada?

Hon. Mr. Ramsay: Mr. Speaker, I am not sure the member is correct when he states these jobs are going back to the US. I understand 100 to 200 of the present employees at Barrie will be provided with employment opportunities at Brockville.

It may be of no solace to anyone and I do not say it for that reason, but simultaneous to the closing down of the plant in Barrie there was a closure involving 800 workers in Allentown, Pennsylvania. The company is rationalizing its operations both in Canada and the US; it is not rationalizing in Canada so as to be able to hire additional people or do additional production in the US. That is not the case at all.

Mr. Rae: The minister has been through this routine before. He has sat down with company officials and sometimes they even refuse to comment or give him the information he needs. Does he not feel, as Minister of Labour, that he needs a stronger body of law, so as not to go on his knees and talk to company officials but to require them to come forward and produce some basic information to protect the jobs and interests of Canadian workers?

3:10 p.m.

Mr. Lyons, who moved on to Black and Decker, talked in an annual report in October 1983 about the success story when he was with General Electric. He talked about the fact that production on the skillet line had gone up 700 per cent in two years. He congratulated the workers on how well they had done. A few months later, he announced that the whole operation was shutting down.

Does the minister not think we need some laws and not simply requests and cap-in-hand sessions with company officials in order to protect the jobs of workers in this province?

Hon. Mr. Ramsay: I will repeat what I indicated earlier. I am not comfortable with the information that is coming forward and I want to get more clarification of it. I want to get clarification of it in company with the other interested parties. I do not just want to have a closed-door meeting between myself and my officials and officials from the company; I say

again, I extend an invitation to the opposition parties to get involved.

The leader of the third party talked about going cap in hand and being refused. I am very distressed to say we deal with these matters all too frequently. Sometimes there are periods when we are doing it on a daily basis, but the figures are improving. Again, that will not be solace to anybody, but the figures on closures for the first eight months of this year are down something like 33 per cent over last year. Last year as a whole was down something like 66 per cent over the prior year, both in the number of closures and the number of people affected.

I do not say that in a defensive way, nor is that intended to be any sort of solace to anyone, because it is not. We still have too many of them and we are still wrestling with each and every one as they come about.

I apologize for going around the corner on this. The point I started out to make is that, with one or two exceptions, I have had nothing but excellent co-operation from companies, unions, civic officials and everybody involved. There have been free and open discussions. I have not had to go cap in hand and except on one or two occasions, I have not had to use a heavy hand. We have been able to get the necessary information we required in each and every case.

NURSING HOMES

Mr. Rae: Mr. Speaker, I have a question for the Minister of Health. It follows from the information I discussed with the minister last week about comparing the number of accidental deaths in nursing homes with the number of accidental deaths occurring in homes for the aged.

We have now followed up with the coroner's office and we understand that falls are the most frequent initiating cause of the death of residents. In nursing homes, there were 113 deaths initiated by falls in 1982. In homes for the aged, the number was 38. In 1983, the figure for nursing homes was 150, and 41 for homes for the aged.

Is the minister aware that in 25 per cent of nursing homes, inspectors found that residents were not being given nursing care in accordance with their needs? In 107 homes where violations of the Nursing Homes Act were found, inspection reports show unacceptable floor conditions, loose tiles and worn carpets. Is the minister aware of that? Is he prepared to do what is necessary to reduce the number of accidental deaths in nursing homes?

Hon. Mr. Norton: Mr. Speaker, the question the leader of the third party asks is one to which he already knows the answer to a large extent, particularly the latter part.

When it comes to any infractions of the regulations under the nursing home legislation in this province, of course we take action. We have taken major steps within the last year alone to further increase our capacity to respond decisively and quickly in dealing with any situation where there is any deficiency.

I think the honourable member is treading on rather questionable ground if he is leading up to the kind of suggestion he engaged in last week, where he draws some parallel between incidents in homes of a particular type and the way in which they may be operated or managed. I think it is important he also bear in mind—and I have some staff in my own ministry checking into this at the moment—that there may be a number of other factors involved, such as the level of care required by certain residents and the types of problems some residents perhaps have in greater concentrations in certain kinds of accommodation.

Mr. Rae: We are talking about accidents, about unnatural causes of death. Is the minister aware of the tremendous discrepancy? Frankly, I do not think it can be explained in terms of the degree of care required. I do not think that totally explains the discrepancy.

For example, is the minister aware that last year ministry inspectors found 222 homes where there took place at least one violation of regulation 5(2), which requires nursing homes to be free of "anything that could pose a hazard to a resident's health"? Practically two thirds of the private profit nursing homes in this province have at least one infraction of that regulation.

Is the minister aware of that? Will he, at the very least, as of today declare a moratorium on new beds allocated to private profit homes and restrict the allocation of new beds to charitable and nonprofit institutions, which is what the Canadian Medical Association and Concerned Friends of Ontario Citizens in Care Facilities have been calling for, and which I think is fully justified by the information found in the coroner's report?

Hon. Mr. Norton: It is very easy to take statistical data and use them to one's own purposes, as the member is attempting to do at the moment.

He knows that the regulations under which nursing homes operate in this province are strict and that the kind of infraction he cites is one that

would have to be recorded even if, for example, it were finding so much as a single insect in an area where food happened to be stored, because that could constitute a threat to someone's health. That is the kind of situation one may very well find frequently in one's own home.

It is not necessarily a matter of a major infraction. Rather than having his researchers simply tally up the number of infractions on a point-score system of some sort, if he would look seriously at the kind of infractions he is describing, he would understand that his description distorts the facts.

The short answer to the member's question about whether I am prepared to call a moratorium on allocation of nursing home beds, other than to a particular prescribed group, is clearly no.

Mr. Sweeney: Mr. Speaker, the minister indicates to us his sensitivity about drawing parallels between accidental deaths and the kinds of homes. That is understandable.

However, will the minister also agree that, with the waiting time to gain a nursing home bed in just about every part of this province, he really does not have an alternative for those people when he finds a situation or a series of infractions so bad that changes need to be made?

The minister is almost powerless to close down a home or facility when things are so bad that he feels they should be closed down, because there is no place else to put those people. If the minister does not provide additional beds in every community in this province, that problem is going to continue. Will the minister not agree that is a problem, and that he has to do something about it and do it fast?

3:20 p.m.

Hon. Mr. Norton: Mr. Speaker, there is no question that there are requests for nursing home beds in most parts of the province, supported by the opinion and advice of the district health councils, that cannot be met in a short period of time because of a number of factors, not the least of which is the lead time required to engage in the necessary construction.

However, I caution the honourable member in his description of our inability to act in cases where it would appear that residents' health or safety may be at risk. There is an example in an old wing of a nursing home in Metropolitan Toronto at the moment, where we have forced the operator to undertake steps immediately to replace it. I believe, if I am not mistaken, the figure was something in the order of 75 residents who, with the assistance of the staff of the Ministry of Health, were relocated in other

nursing homes and related facilities within the general area. So we do, when necessary, have the capacity to act in spite of the fact that there is pressure on the system.

ACCESS TO MEDICAL TREATMENT

Mr. Mancini: Mr. Speaker, I have a question for the Minister of Health.

On October 4 at about midnight, Allan Richard Hodgins suffered a brain haemorrhage at his residence at St. Vincent Street in Barrie. He was admitted to the Barrie hospital at 1 a.m. on October 5. The Barrie hospital does not have the equipment to conduct brain scans.

The doctor tried to have Mr. Hodgins admitted to the trauma unit at Sunnybrook Medical Centre. He was informed there was no one at the Sunnybrook hospital with authority to admit the patient and there were no beds available for Mr. Hodgins. The same doctor made calls to Toronto General Hospital and was informed there were no beds at that hospital.

Mr. Speaker: Question, please.

Mr. Mancini: On October 6, Mr. Hodgins was admitted to Wellesley Hospital. At 4:30 a.m. on October 6, Mr. Hodgins died.

Will the minister conduct a thorough and complete investigation into this very unfortunate matter and inform the House why the medical facilities of this province were not made available in this case?

Hon. Mr. Norton: Mr. Speaker, the short answer is yes, I would be glad to look into the matter for the honourable member if he would give me whatever information he has that would help in identifying the case.

I would point out that one of the things that comes to mind immediately is, if this was an emergency and identified as such by the physician, under the law of this province the hospital cannot legally refuse to admit the patient. If there was a refusal on the part of a hospital to accept an emergency patient when it was the only facility that could care for the patient, then there may well have been an infraction of the law.

Mr. Mancini: Shortly after Mr. Hodgins was admitted to Wellesley Hospital, the staff there immediately wanted to take him off the life-support equipment and remove his organs, which was very distressing to the family. I would also like the minister to investigate that point. Also, I would like the minister to obtain the autopsy report, as the family has not yet received one and has been asking for one.

Hon. Mr. Norton: As I follow up on this for the member, I will look into that as well. It is my understanding that the family ought to be entitled to a copy of the autopsy report and I will try to ensure that they get it.

PLANT SHUTDOWNS

Mr. Allen: Mr. Speaker, I have a question for the Minister of Labour.

Canadian Porcelain, a Hamilton plant which produces large industrial porcelain insulators, is in grave financial difficulty. It employs 72 workers in the bargaining unit and has 20 nonunion staff. It is up for sale, there are no buyers and the deadline for closure is January 18.

The minister may know the workers have been trying to learn the status of their pension plans and the financial capacity of the company to meet severance pay requirements, etc., and there are very grave doubts about the capacity thereof.

Will the minister tell us what he is doing to protect the workers in that plant, and whether he has been able to find out anything with particular regard to their special concerns?

Hon. Mr. Ramsay: Mr. Speaker, we are doing exactly the same with that plant as we do with every other plant in a similar circumstance. Our people have been involved. I cannot give the honourable member an exact up-to-date report at the moment, but I believe everything to be in order. I will be happy to provide him with a complete report within the next day at the most.

Mr. Allen: Could I impress upon the minister that this is not just a plant closing? This plant is the only one in Canada that produces insulators that are used by some of the major utilities in this country. Therefore, when it goes, there goes the industry in Canada. The minister may be aware that it is facing a deluge of cheap imports. He may also be aware that when this plant closes, if it does, the prices of those imports will rise to meet the original Canadian price; they will not stay at those low levels.

Is the minister consulting with the Minister of Industry and Trade? Is he consulting with officials in Ottawa with respect to the import situation? What is he doing to protect the industry itself as distinct from the workers in particular, and how is he going to keep that plant open?

Hon. Mr. Ramsay: The answer to all of those questions, such as consulting with the Minister of Industry and Trade and so on, is yes.

Mr. Mancini: Mr. Speaker, in response to the first question, the minister stated he is doing what he usually does in these cases of plant closures;

he is obtaining information. We would really like to know what the minister is doing.

Mr. Speaker: Question, please.

Mr. Mancini: Is he trying to find jobs for the most senior workers, who are going to have a terrible time right now trying to find new work? Is he going to ensure that the equipment at the porcelain plant stays in Canada? Is he going to follow up the case of each particular worker to see exactly what happens to these people? Or is he just going to say, "We are doing what we usually do," which is absolutely nothing?

Hon. Mr. Ramsay: Mr. Speaker, I am just not going to say anything. I really have a great deal of respect and affection for the honourable member, but that question is really—well, never mind.

Let me go back a bit. Whenever there is any hint whatsoever of a closure, of a plant that is in difficulty or whatever the case may be, the very first thing that happens—the honourable member says nothing happens—is that officials of the employment standards branch get involved to make sure the rights of the workers are protected in every possible way.

Then we have a very capable plant closure review and employment adjustment group, headed by Bob Joyce, who is respected by labour and management alike. His people, who are extremely qualified, go in to see exactly what can be done. They get the other ministries involved, such as the Ministry of Industry and Trade.

The member talked about counselling. There is a manpower counselling committee set up for each and every one of these cases. However, in this case we have not set it up yet because there are a lot of things we want to do first to keep the place open. We have not accepted the situation as a fait accompli, as the honourable member apparently has.

NIAGARA ESCARPMENT COMMISSION

Mr. Reed: Mr. Speaker, I have a question for the Provincial Secretary for Resources Development. Now that the minister has refused to allow a debate on his policies recommended to cabinet on the Niagara Escarpment plan, can he tell us whether he plans to reinstate the 20,000-ton limit for wayside pits in the escarpment protection area, in view of the comments of the Niagara Escarpment Commission, which has written to the minister, stating:

"The commission's experience with wayside pits over the last five to six years strengthens the conviction to maintain the 20,000-ton limit. For example, wayside pits proposed in Halton and

Peel regions have an average size of 250,000 tons, and applications have been made for up to one million tons. The effect would be to encourage pits and quarries under the wayside process to locate in the escarpment protection area, contrary to the goal of that designation."

Does the minister plan to reinstate the 20,000-ton limit?

3:30 p.m.

Hon. Mr. Sterling: Mr. Speaker, first, I should make it clear that when the honourable member brought forward an emergency resolution relating to the Niagara Escarpment, I did not refuse to discuss or debate the plan or any aspects of the whole process. I indicated to this House, and I think the House found, that there was no emergency associated with the member's resolution at that time.

Second, in terms of the 20,000-ton limit on wayside pits, I think it should be noted that the 20,000-ton limit was put in the last and final report of the Niagara Escarpment Commission. It was never the subject of the hearing officers' deliberations because it was not contained in their original plan back in 1979.

The inclusion of the 20,000-ton limit, or any alterations to policy in relation to wayside pits, will be a matter for the cabinet to decide as a whole, not myself. It is under active consideration by the cabinet now. I cannot predict or indicate what the final resolution of the matter will be until those deliberations come to a close.

Mr. Reed: In regard to what the minister has said, I would ask him what emergency there was in 1983 when we debated the Niagara Escarpment, when no policy was tabled. There was nothing brought forward, and yet the minister agreed to a debate at that time. What was it about that period in 1983 which was an emergency, but is not at this time when the material is in and is before cabinet for a decision?

I would also ask the minister whether he is going to recommend the 20,000-ton limit?

Hon. Mr. Sterling: There is no difference between 1983 and 1984. I think I indicated both times I was quite willing to discuss or debate the issue. When the motion was brought forward this year, I think I mentioned I would be most willing to debate the issue if it was a decision of the House leaders to have such a motion brought forward.

I indicated in 1983 I did not think it was an emergency, but I was quite willing to debate it under an emergency debate at that time, because the House leader said we had an opportunity to do

it that afternoon when that emergency motion was brought forward. So the House went ahead.

With regard to what I am recommending or the position I am taking within the walls of the cabinet, I think the member well understands I cannot divulge my position. I will have to decide to stay with what the cabinet finally decides in the matter. I will be taking my position with regard to this particular debate as I do with any other debate.

I do not know all the proposals that will be brought forward about a 20,000-ton limit or some other kind of restriction associated with wayside pits. They may be involved in a larger policy decision than just dealing with whether it will be 20,000 tons or not.

Mr. Swart: Mr. Speaker, will the minister not recognize that the interpretation of wayside pits has changed dramatically in recent years, primarily because of the Pits and Quarries Control Act and the procedures that the aggregate producers have to go through to get a new pit or quarry under the act?

Recognizing that wayside pits can now perhaps provide for the extraction of one million tons, does the minister not realize that these kinds of pit will pock the escarpment and destroy its preservation? Because of this change, will he not still recommend to the cabinet that there be a limit put on wayside pits, preferably the 20,000-ton limit, which are inside the escarpment plan?

Hon. Mr. Sterling: Mr. Speaker, I think I recognize, as does any other member in this Legislature who has a riding where licensed or wayside pits are located, the scar they leave on the landscape, whether it be in the escarpment area or outside the escarpment area. I know I have the same kind of issue in my riding in eastern Ontario.

Whether we deal with a special policy for wayside pits within or outside the escarpment plan, as I indicated to the other honourable member, it will have to be a matter for discussion within cabinet. Of course, I will be participating in the discussion on wayside pits, as will every other member of cabinet.

I have published my recommendations; they have been public as of July 31. I have put my position on the table at this time. As I indicated to the member, it will be a matter of discussion, because there have been some appeals to cabinet on this issue, and I will be very much involved in the debate.

ASSISTIVE DEVICES PROGRAM

Mr. Cooke: Mr. Speaker, I have a question of the Minister of Health regarding the assistive

devices program. I would like to outline two cases very briefly.

Mr. Al Pizzacalla of Thorold, aged 35, had a swimming accident in 1966. He is on a disability pension from this province of less than \$400 per month. For the past 17 years he has had to be responsible for all the assistive devices he requires because of the accident.

Mrs. Dorothy Misener of Hamilton is also on a disability pension of less than \$400 a month. Her most recent acquisition was a walker at a cost of \$269 over the year.

Mr. Speaker: Question, please.

Mr. Cooke: The minister has been promising for quite some time now that the assistive devices program was going to be extended to cover individuals over the age of 18. When is he going to implement the next stage, which was recommended to him by his advisory committee when it evaluated the ADP? When are these people going to have to stop going to charitable groups that are short of money? When are they going to get assistance through the Ontario health insurance plan or through the government, as they should be entitled to?

Hon. Mr. Norton: Mr. Speaker, I can assure the honourable member my commitment stands. Although I am not yet in a position to announce details, I can give the member for Windsor-Riverside the firm commitment that the next phase of implementation will be under way before next summer.

Mr. Cooke: The last time the minister said the program was going to be extended, he said it was going to be in this fiscal year; now we are past this fiscal year.

Mr. Speaker: Question, please.

Mr. Cooke: Why can the minister not extend this program immediately, especially in view of the fact that he did not even spend the budget allocated, according to the estimates, in 1983-84?

Hon. Mr. Norton: Surely if the honourable member had looked seriously or carefully at the implications of the extension of the program, he would realize the underspending to which he refers is a mere drop in the bucket by comparison with what the expansion of the program might well cost. We are looking at a difference in magnitude of something between the present level of expenditure, which I think is in the neighbourhood of \$7 million to \$8 million, and perhaps upwards of \$60 million for full implementation.

That is not to suggest we are not going to proceed. Although the member's solution is simplistically appealing, it is not practical. Even if everything was approved and ready to go tomorrow, the implementation of the program would require several months; so next June or July is not an unreasonable time for implementation.

3:40 p.m.

SMALL BUSINESS DEVELOPMENT CORPORATIONS

Mr. Nixon: Mr. Speaker, did the Minister of Revenue receive a report from his staff about an allegation made in a recent Canadian Broadcasting Corp. program, the Fifth Estate, concerning two companies that are active in the small business development corporations program he administers? The companies are XTC Electronics Ltd. and XTC Electronics Inc. which, although they are supposedly inactive, received \$1.3 million from investors, accompanied by a \$460,000 tax rebate from the government of Ontario under the program that the minister administers, even though several of the principals knew nothing about the SBDC involvement.

Is the minister aware that this did not come to light because of any auditor's activities but because the minister sent out a photographer to take a picture of the company principals and, when the photographer got there, they did not know anything about the program, in spite of the fact that the ministry had approved this tax rebate?

Hon. Mr. Gregory: Yes, Mr. Speaker, the honourable member is quite right in suggesting this was discovered by a photographer, and I thank heaven it was. But it was discovered, and up to the point where some suspicions were raised, it was a legitimate SBDC. There was no reason to doubt it until personal contact was made, and then subsequent suspicions were raised.

The matter is currently being investigated, and I will be able to report back at that time. I cannot report much more than that at the moment.

Mr. Nixon: We have been keeping a list of these matters that have gone public, such as the case of a Toronto mining promoter, Ralph Lampe, who was convicted of defrauding the province of \$450,000 at about the time the Lake Rousseau Village case became public; that of the Medlon and Arcturus frauds, which are part of the record; and the case of the disappearing funds in the Nelma-Hartshorn example.

Is the minister not concerned? Does he not feel that he should follow the advice put forward by Clarkson Gordon, which did a review of the program, indicating there had to be a substantial improvement in the audit capability of the ministry's section dealing with this program? Can he report that the audit function is being beefed up so the taxpayers are not going to be subject to this sort of maltreatment?

Hon. Mr. Gregory: In answering a question from the member for Etobicoke (Mr. Philip) a couple of weeks ago, I did report that the auditing procedure had been increased under this program.

Concerning the cases the member mentioned of SBDCs that have gone sour, in almost all cases the government funding is recovered. It is not a tax rebate, by the way; it is an outright grant, or let us say it is a very long-term loan because, as the member knows, it is recoverable in the event that the SBDC is deregistered, goes bankrupt or whatever.

Mr. Nixon: What about fraud?

Hon. Mr. Gregory: And in the case of fraud. The fund does remain in a trust account, and it can be withdrawn only on approval by the ministry. This requires an audit or a year-end report to find out whether the SBDC is in proper order.

In almost all cases this government money is recovered. I do not think that under any circumstances, auditor or whatever, we could prevent some fraudulent actions from taking place. But I can assure the member that we are keeping very close watch on this, and as a result of the Clarkson Gordon report, as I reported earlier, we have increased the auditing services.

PETITION

VIOLENCE AND PORNOGRAPHY

Mr. Kells: Mr. Speaker, I have the following petition:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"We, the members of Our Lady of Sorrows Catholic Women's League and parish, wish to convey our very strong concerns about violence and pornography in movies and videos and offer our complete support for Bill 82, An Act to amend the Theatres Act, and ask for its swift approval by this legislative body."

This petition is signed by more than 330 citizens, most of whom are constituents of mine.

MOTION

COMMITTEE BUSINESS

Hon. Mr. Wells moved, notwithstanding standing order 65(g) respecting the publication of notice of an application for private legislation, that a private bill respecting the town of Iroquois Falls may be introduced and given first reading; and the bill may be considered by the standing committee on regulations and other statutory instruments upon the applicant filing proof with the Clerk of the assembly that notices have been published at least three times in the Ontario Gazette and in a newspaper having general circulation in the town of Iroquois Falls.

Motion agreed to.

INTRODUCTION OF BILLS

HEALTH PROTECTION AND PROMOTION AMENDMENT ACT

Hon. Mr. Norton moved, seconded by Hon. Mr. Baetz, first reading of Bill 137, An Act to amend the Health Protection and Promotion Act.

Motion agreed to.

IMMUNIZATION OF SCHOOL PUPILS AMENDMENT ACT

Hon. Mr. Norton moved, seconded by Hon. Mr. Baetz, first reading of Bill 138, An Act to amend the Immunization of School Pupils Act.

Motion agreed to.

HEALTH PROFESSIONS STATUTE LAW AMENDMENT ACT

Hon. Mr. Norton moved, seconded by Hon. Mr. Baetz, first reading of Bill 139, An Act to amend Certain Acts respecting the Health Professions.

Motion agreed to.

METROPOLITAN TORONTO POLICE FORCE COMPLAINTS ACT

Hon. Mr. McMurtry moved, seconded by Hon. Mr. Wells, first reading of Bill 140, An Act to revise the Metropolitan Police Force Complaints Project Act.

Motion agreed to.

LAW SOCIETY AMENDMENT ACT

Hon. Mr. McMurtry moved, seconded by Hon. Mr. Wells, first reading of Bill 143, An Act to amend the Law Society Act.

Motion agreed to.

Hon. Mr. McMurtry: Mr. Speaker, this bill will increase the efficiency of the discipline

procedure of the Law Society of Upper Canada. It will increase the number of benchers qualified to hear discipline matters by restoring the right to vote to life benchers and by removing the 75-year age limit on voting by former treasurers of the law society. It will also reduce the convocation quorum for discipline matters from 15 to 12 benchers who are entitled to vote in convocation.

3:50 p.m.

POWERS OF ATTORNEY AMENDMENT ACT

Hon. Mr. McMurtry moved, seconded by Hon. Mr. Wells, first reading of Bill 144, An Act to amend the Powers of Attorney Act.

Motion agreed to.

Hon. Mr. McMurtry: Mr. Speaker, the purpose of this amended legislation is to clarify that where a person in good faith acts on a power of attorney that has been terminated, revoked or has become invalid, and the person has no knowledge of the termination, revocation or invalidity, the person is not liable to the donor of the power of attorney.

Although this type of protection has always been the policy of the Powers of Attorney Act, some doubt has arisen as to the scope of the exact language used. Although we could wait for litigation to settle the point, it is unlikely that most of the relatively modest estates that are often administered by a power of attorney could afford the expense of litigation. Therefore, I am introducing this amendment to clarify the scope of the Powers of Attorney Act and to set the matter beyond doubt. I believe this amendment will be of great assistance to persons relying on powers of attorney.

The amendment is made retroactive because it is a clarification of the law and not a change in the law.

COURTS OF JUSTICE AMENDMENT ACT

Hon. Mr. McMurtry moved, seconded by Hon. Mr. Wells, first reading of Bill 145, An Act to amend the Courts of Justice Act.

Motion agreed to.

Hon. Mr. McMurtry: Mr. Speaker, last fall we amended the Provincial Courts Act to designate the family court as the youth court during the first phase of the Young Offenders Act, which applied to 12- to 15-year-olds. That designation expires on April 1, 1985, when the federal act expands its jurisdiction to include 16- and 17-year-olds. Accordingly, the primary purpose of this bill is to meet the requirements of

the federal Young Offenders Act for designation of a youth court on April 1, 1985.

On the basis of the eight months' experience we have now had with the Young Offenders Act, we are satisfied that our provincial courts can be adapted to the demands of the Young Offenders Act. Therefore, like most other provinces, we propose to establish the youth court at the provincial court level and to give both the family division and the criminal division of the provincial court, along with the unified family court in Hamilton, the power to exercise youth court jurisdiction. By virtue of their appointments, provincial judges already have authority to preside over either division.

These amendments will enable us to meet the needs of the Young Offenders Act within the existing framework of our judicial system. While it is expected that in practice the age groupings in each division will remain essentially the same as they are now, the amendments do not create rigid boundaries of jurisdiction based on age. We will have all the flexibility necessary to adapt existing resources to specific needs and circumstances. For example, a 15-year-old and a 17-year-old jointly charged can be tried together in the same division. Furthermore, we will have the flexibility to plan for further developments of the youth court system.

Although in several parts of the province we have become accustomed to physical separation of the family division and the criminal division, the trend in our new courthouses, such as at St. Catharines, Peterborough and Barrie, is to accommodate both divisions in the same building. In some judicial districts, as in most other provinces, the same judge presides over both the family division and the criminal division. This will facilitate use of both divisions as the youth court.

I wish to make it clear at this time that whenever the criminal division exercises its jurisdiction as a youth court, the youth court proceedings will be held independently of adult criminal proceedings. My officials are meeting with the chief judges of the two divisions to plan the most effective manner for implementing the necessary changes.

The remainder of the Courts of Justice Amendment Act, 1984, makes a number of technical amendments prior to proclamation of the Courts of Justice Act in the new year.

ORDERS OF THE DAY

CREDIT RATING

Hon. Mr. Wells: Mr. Speaker, before following the orders of the day, I thought I should

indicate that it has been agreed we will divide the time among the three parties on the order for today, which is the motion of the member for York South (Mr. Rae). Perhaps the table could take care of that division.

Mr. Foulds moved, on behalf of Mr. Rae, seconded by Mr. McClellan, motion 43 under standing order 63(a):

That the government lacks the confidence of this House because of its hasty, ill-considered and shortsighted reaction to the evaluation of this province's credit rating by Standard and Poor's of New York, in particular:

The decision of the government to place a greater weight on the views and priorities of a New York bond rating agency than on the needs and priorities of this province;

The government's decision to cut back on education, health and social services spending which is critical to the future of our province, rather than to bring the spending and borrowing plans of Ontario Hydro under control;

The confusing explanations given by the Treasurer (Mr. Grossman) of Standard and Poor's rating review process, as reflected in the following statements of the Treasurer and Standard and Poor's:

Standard and Poor's:

"The fiscal 1985 budget projects a third year of operating deficits and a budgetary deficit exceeding 12 per cent of revenues. However, stronger than expected economic growth appears likely to result in a lower budget deficit this year, and further improvements in fiscal 1986 are anticipated. Improved budgetary results in fiscal 1985 and 1986 are expected to reduce the debt burden." (Standard and Poor's, International Credit Week, third quarter 1984);

The Treasurer:

"The rating agencies are retrospective. They simply look at what has occurred. They do not look into the future and try to figure out what one is likely to do next year, or get any assurance with regard to what one is likely to do because they do not see that as their job vis-à-vis the province, the people they rate or the people who buy bonds based on that. All they are asked to do by the people who buy bonds is to look at the performance to date and assess that against other performance. Having done that, as I indicated last week the entire discussion is retrospective." (Hansard, Monday, October 29, 1984).

Mr. Foulds: Mr. Speaker, first of all, I want to thank the leader of the New Democratic Party for giving me the honour to lead off this important debate.

Mr. Elston: Which leader?

Mr. Foulds: Unlike the Liberal Party, we actually have one.

It is a mark of the arrogance of this government even in this transition period that at the moment it has one cabinet minister in the House to listen to a debate on a no-confidence motion.

Let us start with the very simple proposition that the Conservative government of Ontario wears as a badge of honour Ontario's triple-A credit rating. Unfortunately, that badge of honour has become besmirched in the past two or three months and has become an albatross around the neck of this government and the people of this province. It is not merely a Reaganomic badge of honour as the Tories would show us by their behaviour; it has become a Bonzonomic badge. As members will recall, Bonzo is the chimpanzee friend of Ronald Reagan that starred with him in many movies.

The besmirching of the government's reputation over this issue has happened for two major reasons.

First, the Premier (Mr. Davis) and the Treasurer, neither of whom is here today, have been less than straightforward or direct with the people of Ontario about the nature and purpose of their flying visit in August, to Standard and Poor's of New York, to save Ontario's triple-A credit rating. They have also been less than direct or straightforward over their own false sense of priorities for Ontario.

4 p.m.

Second, it has become abundantly clear that this government's obsession with the triple-A credit rating is such that the economic, fiscal and social policy of this province for the people of Ontario is not made in this Legislature, in the Ministry of Treasury and Economics, in the cabinet office or even in the corner office of the second floor, the Premier's office. The fiscal, social and economic policies of this government for this province are made on Wall Street.

Mr. Rotenberg: It is just not so.

Mr. Foulds: It need not be so.

Mr. Rotenberg: It is not so. That is right.

Mr. Foulds: The voice of the angel to my left, the member for Armourdale—pardon me, Wilson Heights; I always get you twins mixed up. The member for Wilson Heights (Mr. Rotenberg) will have the opportunity to speak in his dulcet tones at some later point in this debate.

It is time this government had the guts and the courage to say, "We will make the economic, social and fiscal policies of this province in this

province." This government has not had the courage to do that since it began to wear as a badge of honour its blind obsession with the triple-A credit rating from Standard and Poor's and from Moody's in New York.

Members will recall the Premier has not denied that he issued a directive to his cabinet that slashes any increases in spending on health, education and community and social services. Because the Speaker is an astute follower of events in this province, he will recall that the *Toronto Star* carried a story on October 25 which said that the Premier had issued a directive to the province, a copy of which it had obtained, and that sources in the government had indicated that for next year the increases in transfers and public sector wages would range from three to 4.4 per cent. The Premier has not denied that.

Second, that article quoted from the remarks of the Premier to a cabinet meeting, or from a memo—it is not quite clear which—and I quote: "The allocations which I will bring to you will not, unfortunately, be generous. To give the greatest possible flexibility and to avoid having my successor face an early loss of our triple-A rating, it will be necessary to bring in minimal allocations for your approval. Therefore, funding for new initiatives will not generally be possible."

I want to repeat that, because the words quoted directly from the memorandum link the importance of maintaining the triple-A credit rating with bringing in minimal allocations and state boldly that funding for new initiatives will not generally be possible. If that does not mean the economic, fiscal and social policies of this province are made in New York, I do not know what does. I want to point out that the Premier at no time has denied or recanted that statement.

Finally, this statement appeared in the article and has never been denied by this government, "As part of the understanding to Standard and Poor's, the Premier gave assurances that the province will reduce its yearly deficit sharply." It goes on, "Grossman is aiming at reducing the \$2.03-billion deficit in his 1984 budget to \$1.2 billion next year." Not only was that not denied, but that \$1.2-billion figure was confirmed by the Treasurer in this House under questioning by the member for York South (Mr. Rae).

I want to recite two quotations from a further article on October 27 in the *Toronto Star*, which said: "In New York, Davis gave assurances that his government intended to get the deficit down sharply next year. When he addressed cabinet, Davis made a direct link between the minimal

increases to hospitals, schools and municipalities, and keeping the credit rating."

At no time in that memo or those statements did the Treasurer or the Premier talk about their so-called long-held determination to keep the deficit down. There was a direct link. I submit those statements have never been denied.

Members know just how quickly this government reacts and just how sensitive it is, as are any of its cabinet ministers, when it has been reported incorrectly or falsely in the press. When that happens, there are major letters to the editor coined by the public relations department of the ministers involved on behalf of the cabinet ministers. They are sent directly to the papers to clarify the situation. No such action has occurred in this case. In fact, all we have managed to get is continued murkiness both on the part of the Premier and the Treasurer.

What does the obsession with a triple-A credit rating mean to the people of this province? For the average working man and woman, the average person of this province, it will mean no new initiatives in every major field of activity.

For example, in housing construction, we know the vacancy rate in apartments across this province is ridiculously low. In most of the major cities in this province it is less than two per cent. In some of the cities, such as my own, it is less than one per cent.

In a city such as my own, Thunder Bay, we have instances of people moving into new apartments in apartment buildings that are not yet finished. The construction is still going on around them. That is how desperate we are for housing and for places in my city and right across this province.

What it means is there will be no new housing initiatives in the coming year as apartment buildings are torn down on Eglinton Avenue to make way for luxury condominiums. There is no new initiative by this government for co-operative housing, social housing or nonprofit housing which could give an immediate stimulus to our economy, could provide jobs immediately and provide a very real long-term need for the people of this province. All of that will be put on hold because this government is obsessed with a triple-A credit rating from Standard and Poor's and will not dare take any new initiatives in social housing.

There will be no new initiatives in health care. We know hospitals are crowded at the present time with chronic care patients but no thought will be given to providing the funding to create those chronic care beds to free up our active

treatment hospitals for the services they should be providing. There will be no new initiatives in the underserviced area program.

We had a slashing of the budget by \$600,000 last year, and this year there will be no new increases. In the coming year, we know this government will be severely restrained in carrying out the initiative of this Legislature to provide for medically necessary travel under the Ontario health insurance plan. There will be no new initiatives in the health care field.

We know what the cut in transfer payments to municipalities will mean in social service cut-backs to the ordinary men and women of this province. In Thunder Bay, there are about 30 to 40 young people between the ages of 12 and 18 who live on the streets. They are people who have run away from home and who have run away from school. They are not all normally residents of Thunder Bay, but they are from the outlying districts and some are transients. Because they have, in the strictest interpretation of the present guidelines of the welfare administrators at the local level of this province, no normal residence or no acceptable place of residence, they are denied general welfare assistance. What that means is these people who already, for various reasons, have had some difficulty with the law, will continue to have difficulty with the law.

4:10 p.m.

I do not think my community is unusual in that respect. I would suspect that every major city of 100,000 or more has the same problems. What happens is those young people, because their needs are not being met either by the court system or by the social assistance system, will be forced into lives of petty crime, shop-lifting, burglary, breaking and entering, and even some drug activity. Shameful things are happening in this province because the Premier and the Treasurer have an obsession with a triple-A credit rating in New York.

People are being told by welfare administrators all over this province that they are not eligible for assistance when, by law, they are eligible for assistance. All of us have had cases in our constituency offices where the few people who are sophisticated enough to know they can come to seek help from elected members have come to see if they can right that wrong.

Often we have to take those cases to appeal. In Thunder Bay, we are lucky if we get those appeals within a six-week period. The delay actually saves the municipality money. They are asking for that delay to save them money because

this province is not transferring a sufficient amount of money for social services and assistance to the municipal level.

Because of the government's obsession with the triple-A credit rating there will be little or nothing for increased job creation programs in this province. The Treasurer can talk all he likes about trying to create long-term programs, but all the programs announced in his budget, and all the ones reannounced up to his leadership race announcement, have been short-term programs. The 100,000 jobs for young people he promised in this Legislature in June have never been realized.

The number of real unemployed people in total in this province remains at 578,000. That is shameful. How can this government turn its back on them? How can we as a Legislature, and how can the government across the way, ask those 578,000 people to wait another year or two, unemployed and searching desperately for work, while the government desperately, frivolously and rather stupidly takes the steps it has taken to hold on to its so-called precious triple-A credit rating?

The story is shameful, disappointing and unacceptable to us in this party. It is unacceptable that 146,000 young people are still looking desperately for work. It is unacceptable that 578,000 people are still looking for work throughout this province. What the government did not give away in New York, it gave away in Ottawa just the other night when it succumbed to Michael Wilson's financial statement without a whimper, without a protest and in marked contrast to the speech of the Treasurer in this province the day after Joe Clark and John Crosbie announced their economic package in 1979.

It is totally unacceptable that in a city such as Sudbury the unemployment rate remains at 12.9 per cent, in Hamilton at 9.6 per cent, in St. Catharines-Niagara at 9.7 per cent, in Windsor at 10.4 per cent and in my home community of Thunder Bay at 8.6 per cent. It is totally unacceptable.

What happens is the people who need our hospitals, the people who need jobs, the people who need social assistance are the people who bear the scars of this government's determination to wear its triple-A credit rating as a badge of honour. The cabinet, like the generals, gets the glory. Our citizens, like the soldiers, get the wounds, if not death and destruction.

If the triple-A credit rating is so precious and important to this province, the government could easily reduce its deficit by collecting the corpo-

rate taxes that have been deferred, postponed and delayed and are outstanding; not by levying any additional taxes but simply by collecting the taxes it is owed under the tax laws of this province. That alone would get \$2.2 billion for the revenue of this province.

The second major issue I would like to deal with for a few minutes is the credibility of the Treasurer. He has tried to tell us that the August meeting was a routine trip. In contrast, the Premier told the press that he went to an appeal hearing. The Treasurer says "the court of appeal" is a term the Premier uses all the time, but the Minister of Health (Mr. Norton) did not know what it meant when I asked him about it the other day.

Other speakers in this party will be dealing with the credibility gap that this government, this Treasurer and this Premier have. I just want to say that this government has abandoned the people of Kenora for the Reaganomics of Washington. This government has abandoned the poor of our streets for the bankers of Bay Street. This government has abandoned the youth of this province for the accountants of Standard and Poor's. This government has abandoned the independence of the Loyalist tradition of this province for blatant Americanism. This government has abandoned the people of Main Street for the people of Wall Street.

For all these reasons, we in this party feel that this government has lost the confidence of this House.

Mr. Gillies: Mr. Speaker, just for the record, in joining this debate I feel it would be appropriate and proper to mention that the Premier is indeed not with us today. Upon proposing to have this debate today, the leader of the third party was informed that the Premier would be meeting with the other first ministers in Ottawa, which is why he is not with us. The Treasurer, however, is in the environs of the chamber and will be joining the debate himself a little later.

Mr. Nixon: What was the former Treasurer talking to you about?

Mr. Gillies: I would not want to share that with the honourable member.

It will come as no surprise to the leader of the third party that I will not be supporting his motion. Frankly, I totally reject the contention stated in the motion that this government reacted in a hasty, ill-considered and short-sighted manner to Standard and Poor's evaluation of the province's credit rating. The government did not

react in that manner, and the Premier and the Treasurer have made that clear in this House, I believe, on a number of occasions.

It is the opposition parties, I would suggest, who have attempted to put the New York meetings in that light and to portray the meetings as a panic response to some imagined threat to our triple-A credit rating.

We have gone over this ground again and again in this House. During the past few weeks, in question period and during the estimates of the Treasurer the members opposite have rejected out of hand the explanations offered by both the Treasurer and the Premier, preferring to cling to their versions of events, for which they have not produced a single shred of evidence to substantiate their position.

While I do not believe that a review of the full debate will serve to reduce the resistance of the members opposite to the position of the government and to the facts, let us one more time go through this matter and compare the allegations that the members opposite are making with the statements made by the Treasurer.

First, on the matter of some imagined rescue mission to New York to save the credit rating, one thing for which we have to give credit to our friends opposite is their active imagination. The way they filled up this trip we could make a movie of it. I do not know what you would call it. I would suggest as a title, "Ontario Larry and the Temple of Doom," in which the Treasurer rushes off to New York to do battle with the mean-spirited moneymen in Manhattan.

It does not quite accord with the facts at all. I would refer to the Hansard of October 29, in which the member for London Centre (Mr. Peterson), who I note is not with us today for this very important debate, said, "It is obvious the financial rating of this province was in some jeopardy and that the Treasurer had to make certain concessions to those rating agencies in Wall Street."

4:20 p.m.

To whom are these alleged facts obvious? They may be obvious to the Leader of the Opposition, but they are certainly not obvious to any impartial observer of the situation. They are certainly not obvious to the Treasurer, who attended those meetings and who, I would suggest, has forgotten more about the economy of Ontario and finance in general than the Leader of the Opposition will ever know.

The Treasurer said on October 29: "It is not accurate to say that we suddenly learned the credit rating was in danger. It is not accurate to

say I called the Premier and said, 'Drop everything and rush down here.' That is not at all what occurred."

These alleged facts about the credit rating being in jeopardy are obvious only to the members of the opposition. I would challenge the member for London Centre or any other member of the opposition to substantiate that claim with factual evidence, if indeed such evidence exists.

Do they have any documents? Do they have anything told to them by officials of the rating agency that would substantiate that the credit rating of Ontario, of which we are justly proud, was in jeopardy? I think we on this side of the House deserve proof of allegations that are so obvious to certain members of the opposition.

As the Treasurer said, every year representatives of the government meet representatives of the bond rating agencies after the provincial budget. They did so last year and this year and they will again next year.

This year one bond rating agency, which incidentally I would hazard a guess has had a boom period of a couple of weeks' more free publicity than it will ever have again, decided to review the ratings of all the provinces in Canada. The Treasurer has said that on a number of occasions, and so has Mr. Roger Taillon, who is known to the House as the managing director of Standard and Poor's. As such, even the members opposite would have to agree he has a certain amount of credibility with regard to what exactly his firm is doing.

As the Treasurer told the House on November 1 in reading a transcript of an interview with this gentleman, "In this case, considering the slower recovery in the economy than perhaps we had been expecting before, as well as the levels of budget deficits in a number of provinces, we made it a special point to do a thorough review of the debt ratings of all of the Canadian provinces at one time."

As we have been told, under these circumstances the Treasurer thought it advisable that he and the Premier go to New York to ensure that the policies and the fiscal position of the province were duly and thoroughly understood by that bond rating agency. I would suggest to the member for York South that this showed prudent fiscal management on the part of the Treasurer. I think he deserves the support of the House for undertaking such a venture.

One thing the opposition has not questioned, indeed has not mentioned about these meetings—I would imagine because it pains them to do so—is the outcome. The outcome with regard to the

credit rating is that the triple-A bond rating is intact and the people, the taxpaying public of Ontario, will be saved higher rate of interest payments to the borrowing agencies with which the province deals.

Millions of dollars have been saved by this province by the retention of the triple-A credit rating, as opposed to a lowering to a double-A credit rating. I think that speaks to the credit of the Treasurer and the Premier in undertaking that activity on behalf of the taxpaying public in Ontario.

I hope the members opposite who have been interested in this matter have paid particular attention to the factors on which the rating agency based its decision. I hope they paid particular attention, because it speaks directly to a second allegation made in the House by some members across the aisle, that in order to have the triple-A credit rating reaffirmed, this government made certain commitments and certain concessions to the rating agency.

The member for York South raised this issue with the Treasurer on October 29 when he said: "Specifically, I would like to ask the Treasurer, were any commitments of any kind whatsoever with respect to the deficit, the levels of spending or the raising of revenues made either by him or by the Premier at a meeting with Standard and Poor's at any time?"

The Treasurer gave a very straightforward answer. He said: "Let me be clear. We did not make commitments." There is indeed a question of credibility that surrounds this debate. There is so much more I would like to say, but time does not allow for it. However, I would suggest it is not the credibility of the Treasurer or the Premier in undertaking these activities on behalf of the people of Ontario, in keeping with good fiscal management supported by the vast majority of the people of this province, which is at stake at all.

I would suggest the members opposite should be looking very closely at their own positions and at the legitimate aspirations of the people of Ontario to reduce the burden of debt that their children and grandchildren stand to inherit if we do not take government deficits seriously.

In this government we have proved we can provide prudent fiscal management for the people of Ontario without endangering those very vital programs of a social, health and educational nature which we believe the people of this province deserve. We will be second to none in the delivery of those services to the people for whom we are responsible. We will be

second to none in maintaining and improving the fiscal integrity of Ontario.

This is what the Treasurer is about, this is what the Premier is about and this is what the members of this side of the House are about. We will be proud to stand in our places when the vote is called on this debate to support the fiscal policies of the Treasurer of Ontario.

Mr. Nixon: Mr. Speaker, I want to point out that as the member for Brantford (Mr. Gillies) was finishing his remarks, three other Conservatives came into the largely empty seats here. I do not know whether it was based on the fact his remarks were ending or whether they heard I was about to begin.

I do feel the fact that the Conservative side is supported by one, two, three, four or five comatose Tories, with two others giggling under the gallery, is an indication either of their lack of respect for this important and time-honoured procedure or that they are not used to a three-day weekend and are still in a recovery stage.

It may be some sort of a plot, and they are not prepared to join the member for Brantford in supporting the fiscal policies of the government. This is their rather strange and peculiar way of precipitating an unexpected election, which we on this side welcome.

With the remarks made by the member for Brantford, it is going to be difficult in the extreme to get those thoughtful Tories, who are even now sitting in the anteroom of the chief whip's office, to leave that amenity and come in here to stand once again, thoughtlessly and without careful consideration, for the support of a policy which has been so disastrous in years gone by in this province.

To begin with, I am very glad Ontario has a triple-A rating. It is true to say that if the rating had been lost, I for one would be critical of the government. This is one side of the coin. I have a good deal of sympathy with the other one as well. I feel very concerned if it is possible that the policies of the government are unduly affected by its commitment to maintaining a triple-A credit rating.

From information that is available, it is clear that any reduction in that by whatever one would call it—a point, I suppose—to double A plus would mean we would pay about 0.25 per cent more interest on the money we borrow. Without going through the timetables of these procedures that have already been referred to by the two previous speakers, I think we must come down to the fact that on November 24, Standard and Poor's published the third quarter issue of its journal,

International Creditweek, and reaffirmed Ontario's triple-A credit rating.

4:30 p.m.

However, I do think it is important that anybody who might be interested in reading these debates would know what Standard and Poor's said at that time. I quote from International Creditweek:

"The priority concern is the provincial deficit. In both cases, the deficits were higher than in 1983 in absolute terms, but lower as a percentage of budgetary revenues. Improvements in both balances are projected for 1985. Another major concern was the increasing amount of interest the province must pay on the deficit.

"The budgetary stress in Ontario has not been felt as much in the level of debt as in the increasing burden of interest payments. As a percentage of budgetary revenues, they have increased almost steadily from 9.9 per cent in 1980 to 11.9 per cent in 1984 and are projected to reach 12.6 per cent in 1985."

There is no way for us to determine what was said to the Treasurer and the Premier during the special meeting at the office of Standard and Poor's, which was described by the Premier as an appeal tribunal. He then made light of that phrase in his efforts not to embarrass the Treasurer who is, as we know, in the throes of a leadership campaign and who cannot stand any embarrassment at this stage.

We should also realize that on October 17 the Premier made a rather public address to his cabinet colleagues at a special cabinet meeting at Niagara-on-the-Lake. This is after Standard and Poor's had an opportunity, if not to summon the Premier to New York, to have the Premier travel to New York to hear their views on Ontario's credit rating and their criticism of the level of interest payments, which are projected to be 12.6 per cent of our revenues next year.

The Premier stated as follows: "The allocations which I will bring to you will not, unfortunately, be generous. To give the greatest possible flexibility and to avoid having my successor face an early loss of our triple-A rating, it will be necessary to bring in minimal allocations for your approval. Therefore, funding for new initiatives will not generally be possible. Accordingly, I will ask all cabinet committees to defer consideration of major new or amended policies and programs, particularly those with significant expenditure levels."

That is clearly what the member for Port Arthur (Mr. Foulds) mentioned in his early remarks. I want to join him in that concern. I

reiterate that I am very glad we have a triple-A rating because it is saving us money, but the fact that the policies of the government, as enunciated in general terms by the Premier, mean that his cabinet colleagues are put into a sort of a fiscal straitjacket is a matter of serious concern.

We know from the past records of this government that an addition to the debt never bothered it when it was in an election year. My memory goes back to 1975 when the then Treasurer brought in a plethora of new programs which increased the deficit by about \$600 million. In 1984 dollars that would be very close to an additional debt of about \$1.8 billion. He was prepared to do that in order to shore up the sagging political fences of the Tory party.

The record of this Tory party has been clear to all of us to observe. They are prepared to dip into the coffers of the province and do damage to the credit rating if additional funds are needed for them to look generous and progressive in the few months before an election.

It is difficult to know what the present Treasurer will do if he is successful in winning the leadership of the party. While he is not here now, he had the co-chairman, one of five co-chairmen of his leadership committee, give the principal address in his defence. No doubt he will be here to give a few condescending words of defence in the latter stages of this debate.

One thing that concerns me is that not only has the Premier indicated in his reported comments that he is prepared to respond to the warnings delivered to him on Wall Street, but the Treasurer himself, in his statements and projections to this House and the people of Ontario, has also clearly shown he is responding to the Standard and Poor's whip. When they snap at him, he jumps.

He makes projections in this House that Ontario is recovering from our recession more rapidly than are most other jurisdictions. I hope that is true, although it seems that he is particularly optimistic when he looks into the future, into his leadership crystal ball. It is also true that in the recent edition of Ontario Finances he points out that our revenues were larger than expected.

I want to spend just a moment, Mr. Speaker, before you nod off completely, in indicating where some of those additional funds came from. To begin with, the revenues from tobacco tax, which had been estimated this year to be \$583 million, jumped by \$20 million, so he now thinks he is going to take in \$603 million in tobacco tax alone. I know you would not want me to continue my remarks without pointing out that this is

almost twice the amount of money the province spends on all its agricultural programs. I say this as a farmer, as a representative of the tobacco growing area and, I hope, as an effective critic of government policy.

It is probably a more general approach when I point out that the profits of the Liquor Control Board of Ontario, which were estimated to be about half a billion dollars, are going to jump by \$46 million to \$600 million. These increases are all associated with the decision of the government of Canada, a government that concerns itself with sacred trusts, to allow the one per cent increase in sales tax at the federal level, which it had criticized as an engine for recession, to go forward in spite of its previous promises. We all know that, with our ad valorem taxes in Ontario, these increases give us a windfall additional tax profit in this instance of about \$86 million.

I should also point out that payments from the government of Canada of an additional \$30 million and from a number of other sources of revenue have indicated, since the budget was brought down, an additional \$223 million of revenue appears to be in the offing.

It seems to me that the Treasurer is making all he can of these special additional revenues to respond to the complaints put forward by Standard and Poor's that our revenues are inadequate for the size of the payments we are called upon to pay to meet our interest requirements.

Perhaps in passing it is interesting to note that the government of Canada is making transfer payments this year of \$4,218,000,000 and that, in addition, the authority of the government of Canada collects our provincial income tax, which we expect this year to earn us \$6,952,000,000. The new pages here, who are very quick at arithmetic, will be able to add those figures up and know that the government of Canada is responsible, by way of revenue spent out of the Treasury of this province, for \$11,170,000,000.

This amount is really collected by the government of Canada. It comes to this Treasury without strings attached and then is used for the political purposes of the government of Ontario to complete Highway 403 and send out special cheques to youth employment programs in the city of Brantford and certain other programs that are designed exclusively for the aggrandizement of local members such as the member for Brantford and, by default I suppose, myself, and for the credit of the Progressive Conservative Party.

With the federal government contributing almost \$12 billion to the revenue of Ontario in a budget of \$26.8 billion, I should also point out that our rich uncles in Ottawa are really meeting 41 per cent of our provincial budget. As the days of federal Liberalism briefly fade, with the new masters in Ottawa wining and dining the provincial Tory treasurers, it looks to me as if the thrust of the reduction of these federal transfers, which we expect to take place, is going to be more severe even than we expected.

When Standard and Poor's see that federal policy, in an effort to reduce the transfer payments to the provinces, is going to move our interest payments well above 12 per cent of our revenues, then we may very well lose our triple-A credit rating because of these ill-advised initiatives taken by the political friends of the government of the day.

4:40 p.m.

The Treasurer said he went up to Ottawa and was taken to dinner by the Minister of Finance, and the Prime Minister probably dropped in. As the Leader of the Opposition said earlier today, the government of Canada is taking our Treasurer to dinner before it takes him to the cleaners.

It seems to me the real threat to our credit rating lies in the profligacy of this government in entering into programs that are nonproductive for the good of our people. I point to the purchase of Suncor two years ago for more than \$600 million. We are still paying the interest on that. That is a heavy load indeed on our taxpayers.

The other thing that is threatening our credit rating is the ill-advised initiatives taken by the government of Canada, which I predict will mean that our ratio of debt servicing charges to revenues will go well above the 12 per cent level. That will mean Standard and Poor's will have the Premier down over Christmas for another lunch and another, let us say, session of descriptive politics.

Our time is limited, and the last point I want to make is that once again Ontario has abandoned the public borrowing markets completely. The current issue of Ontario Finances states quite clearly, "The budget plan to finance net cash requirements entirely from nonpublic sources of borrowing remains on target." That means we really do not have to borrow any money from New York at all. We simply have to underwrite the borrowing programs of Ontario Hydro.

I have already explained to the House in a compelling speech, which was only repeated three times, that Ontario Hydro already has us in a substantial fiscal mess. I will not spend time

listing all the serious errors of decision and omission, and in fact bad luck, that have been associated with Ontario Hydro over the past decade. It is sufficient to say that its requirements for money, more than anything else, have put our credit rating in an area where it is definitely under attack and under unusual and unnecessary stress.

My view is that the Treasurer has to do something about the improper expenditures of the province. I say "improper" in the sense that they are ill-advised. He has to do something about the announced policies of the government of Canada, which will end up reducing transfers to this province and to other provinces. He will also have to take very stringent action to bring the business aspects of Ontario Hydro under more adequate control.

If he does that, I suggest, our historic, top-level credit rating will be reinforced, and the flexibility and freedom of action a government in this province must have will be re-established. That flexibility and freedom of action will remove the straitjacket imposed on the government of Ontario by the outgoing Premier. It will mean that the government here will be able to examine new and progressive alternative policies that will be for the good of this province and without which our economy and quality of life will stop moving forward.

This is going to be a principal issue in the election campaign, which may be next spring or next fall. In my view, the fact that the government does not have this freedom of action for the provision of new policies is going to mean the end of more than 40 years of Progressive Conservative government and, at least, an opportunity for the Liberal opposition to have the respect of the community as we put forward an alternative that will maintain our credit rating and resume the economic expansion of Ontario which we believe is earned and deserved.

Mr. McClellan: Mr. Speaker, I suppose we owe a debt of gratitude to the Premier for having stepped down and precipitated a leadership contest, since it was obviously as a result of the rivalry between the various leadership camps that the memorandum that prompted this debate first saw the light of day. It is an interesting comment on how leadership campaigns tend to destabilize governments. It is obvious the secret cabinet memorandum was made available to the public in an effort to undermine the candidacy of the Treasurer. I have to say that tactic has been successful.

What we are talking about, with respect to the kind of understanding that this government

obviously came to in New York with the bond rating agency Standard and Poor's, is summed up in the words of the Premier that all new expenditure programs will have to be deferred. In his own words, the Treasurer indicated on November 5 that he intends to stabilize the public debt at about \$1.2 billion.

In other words, the Treasurer admitted, conceded, confessed, told us, came clean on November 5 that he was talking about something in the order of \$800 million in an attempt to stabilize the public debt. This amount was obviously part of the understanding reached by the Premier, the Treasurer and the representatives of Standard and Poor's in New York.

It reminds me of some Third World country having to kowtow to the International Monetary Fund. I think the analogy is exactly parallel. To preserve its sacred triple-A rating, Ontario has yielded to precisely the same kinds of limitations on public expenditure that former colonial countries in the Third World are required to obey as a matter of routine with respect to the IMF. Wall Street simply serves as the financial master for a set of budgetary decisions that are now taken on our knees in New York City.

The impact of the understanding that was reached, the decision to curtail some \$800 million in expenditure to stabilize the public debt, will be widespread and felt for many years to come.

It is important to focus at least for a minute or two on the nature of the kinds of cutbacks we are talking about. We are not unfamiliar with constraints and cutbacks in Ontario. We have lived with them since the Henderson report in 1975, but I think we have a new draconian urgency imposed by Wall Street and accepted by the Treasurer and the Premier. We understand it will result in an imposition of something in the order of a three per cent ceiling on expenditure increases.

As I said, that is more draconian than anything that has taken place in the past, but we understand from what has happened previously that when this government engages in social and human service cutbacks, it moves in the direction of commercialization, privatization and turning public sector social services over to private entrepreneurs to be run on a profit-making basis.

We have a report, released in October 1984, called *Caring for Profit*, published by the Social Planning Council of Metropolitan Toronto. It is useful to run through the litany of privatization that has taken place in this province over the course of the past few years, because this is

precisely the kind of cutback regime that will be imposed with a vengeance on Ontario as a result of this new set of understandings between the bond raters and the government of Ontario.

The social planning council report is a useful snapshot of where we are at. According to the report, more than 90 per cent of the province's 332 nursing homes are operated for profit. More than half of Ontario's beds for elderly people are provided for profit, compared with 27 per cent in the rest of Canada.

Almost half of Ontario's 70,000 licensed day care spaces are in the commercial sector. One of every three residential beds for children in Ontario is provided for profit compared with one of 10 in the rest of Canada. Half the contracts for homemaking services purchased by Ontario's local home care programs are with commercial agencies.

More than 6,300 people in the homes for special care program are in for-profit nursing or residential homes. Most of Ontario's estimated 450 rest homes or retirement homes are commercial enterprises. For-profit corporations are now being given the lucrative opportunity to manage public hospitals in Ontario.

4:50 p.m.

That is the kind of scenario that is represented by the kind of budget-setting process we are discussing this afternoon. This is what has happened to many first-class services in this province over the course of the past number of years, and we can look forward, as time progresses, to the gradual transformation of even more first-class, nonprofit, community-based, public sector human services into second-class, third-class and fourth-class private enterprise services. There is a clear relationship between quality of service and the question of profit versus nonprofit. That is a matter simply of empirical observation.

There is another side to the picture as well, and that is the threat of the Premier—or his promise, his commitment or his understanding with the bond raters—to defer new programs and services. That means we will have no opportunity for serious nursing home reform in this province. We will continue to have a first-class residential care service system in place for the elderly in the Ministry of Community and Social Services run on a nonprofit basis and a second-class, third-class or fourth-class system run on a profit-making basis in the Ministry of Health. This government obviously will do nothing to change that.

We will not have an extension in the health care field of the prosthetic appliances program. We will not do anything for former psychiatric patients in this province. We will not honour the commitments made with respect to the implementation of the Gerstein report. We will not provide housing accommodation for the thousands of chronic mental health patients who are currently living in slums, on the streets and, as the former Minister of Health, now the Treasurer discovered, in all-night doughnut shops.

Nothing will be put forward to alleviate these tragic, critical problems.

In the area of social services, nothing will be done to redress the shameful fact that Ontario ranks ninth out of 10 in the level of its monetary expenditures for social assistance recipients.

Nothing will be done to rescue the 2,500 developmentally handicapped people who are wrongfully living in homes for special care and in nursing homes. Nothing will be done to implement the promising provisions of the new child and family services bill. Nothing will be done to make it a reality that there will be meaningful preventive services and community support services in place to prevent family breakdown before it occurs.

Nothing will be done to honour long-standing commitments to provide a full range of community-based home support services for the elderly. Nothing will be done to provide proper attendant care for the physically handicapped.

Nothing will be done to solve Ontario's housing crisis. Ontario will continue to be able to boast proudly that in the midst of the worst housing crisis since the Great Depression, in the midst of the worst housing crisis that many of our people have ever experienced, Ontario since 1978 has spent the magnificent sum of two cents on every dollar expended by the federal government towards the construction and development of new, affordable housing. Nothing will be done to change that.

Nothing will be done in the field of education to develop proper skills training, trades training or apprenticeship programs. Nothing will be done to stop the erosion of our post-secondary educational facilities. Nothing will be done for the unemployed. Nothing will be done for elderly laid-off workers.

In short, nothing will be done. Everything will be deferred all in the name of worshipping at the shrine of the bond rating agency Standard and Poor's, and this is a government that expects to

have the confidence of this House and of the people of this province.

Mr. Kolyn: Mr. Speaker, it is always a pleasure to have the opportunity to remind the electorate of the fact that this province maintains the highest possible credit rating, which is a direct reflection of the quality of management and economic leadership provided by this government.

Charges have been made that this government sold out the people of Ontario, that this government made commitments and concessions to a bond rating agency to have our rating affirmed. Not so. This government is committed to reducing the deficit, to stabilizing the public debt interest. These are commitments made to the people of this province. These are objectives which enjoy a high level of public support because they are in the public interest.

It is all very fine for members of the third party to claim that when a Tory government makes these commitments, it has made concessions to rating agencies. But what do they say when similar objectives are pursued by a New Democratic Party government, a party which we all know operates with only the purest of motives and intent?

If one takes the time to read the 1984 budget of the government of Manitoba, one will discover that Mr. Pawley and his New Democratic Party are just as concerned about reducing the deficit and the public debt in their province as we are in Ontario. Has Mr. Pawley sold out? Has Mr. Pawley betrayed the people of Manitoba? I think not. He is simply pursuing a rational economic policy which appreciates that the more money one spends on servicing a debt, the less money one has to spend on providing services.

I want to know what the member for York South has to say about the report on the fate of the proposal made by the New Democratic Party government of Manitoba to freeze hydro rates. Given the third party's obsession with electrical power generation, I have no doubt its members are familiar with this incident; if they are not, they should be because it is most instructive.

Before he introduced his 1983 budget, Mr. Pawley made it very clear that he would not let Manitoba's public affairs be run by New York moneylenders who had placed the province on financial alert. In spite of that, the government of Manitoba abandoned a planned hydro rate freeze when Manitoba Hydro suggested it was bad business after Standard and Poor's had assessed the province's financial position. The conspiracy

is spreading. Standard and Poor's must be running all of Canada.

Aside from its debt levels, another issue related to Ontario Hydro which has attracted considerable negative comment in this House is the investment in nuclear energy. While the entire nuclear program has come under attack from time to time, the Darlington project in particular has been criticized as being unnecessary, too costly and poorly managed.

Given the picture of Ontario Hydro's nuclear program which is so often painted by the members opposite, I was interested to read an assessment of Hydro's nuclear program which appeared in the Wall Street Journal over the summer.

In case any member wants to take the time to check this article, it was published in the July 23 edition and was written by one of the Journal's staff writers, who as far as I know is not a member of the Progressive Conservative Party or an employee of this government.

The article, noting that Ontario Hydro operates 11 of Canada's 13 reactors, uses our utility program to illustrate why nuclear power programs have been much more successful in Canada and why nuclear power is much more accepted in Canada than in the United States.

The short answer is better management, better project management and better financial management. The conclusions reached are that we have a better product, the Candu reactor, a better regulatory system, better quality control, better public relations and have always stressed the importance of safety and training.

All these characteristics are illustrated by reference to the performance of Ontario Hydro. For example, the article points out that Canadian reactors take half as long to build as American reactors and that this is due in part to the fact that Canadian reactors are not subject to delays caused by design changes and poor workmanship.

The article also points out that Ontario Hydro, which is described as "a big, well-run utility," keeps tight control on the construction of all its plants and maintains permanent inspectors at the plants of manufacturers who build nuclear equipment.

Mr. S. David Freeman, who recently retired as a director of the Tennessee Valley Authority, is quoted as saying that unlike American utilities, which bought reactors as if they were items in a Sears-Roebuck catalogue, Canadian utilities, such as Ontario Hydro, have the in-house capability to deal with them.

The regard for Hydro's management of its nuclear program in the international nuclear industry is such that Mr. Geoffrey Greenhalgh, a consultant to the nuclear industry in Britain, can say, "My guess is, whatever reactor they decided to operate, they would have made it a success."

That is quite a tribute from a disinterested expert in the nuclear industry and is certainly a refreshing change from the type of comment we have all too often heard being made by some members on the western shore of this House.

5 p.m.

It is that quality of management which largely explains why 105 American reactors have been cancelled since 1972. No reactors have been cancelled in this country. The management of Ontario Hydro has never inflicted on the people of this province something like Diablo Canyon, where the cost of the project came in at 877 per cent above estimates. We have not had to endure a case such as Midland in Michigan, where construction is nine years behind schedule and its costs have risen from a projected \$276 million to \$4.4 billion, an increase of more than 1,500 per cent.

Nor do we have a Marble Hill, where after an investment of some \$7 billion the reactor was abandoned half completed, although some over there would like to make Darlington our Marble Hill.

As for safety in training, Ontario Hydro's record in these areas is unsurpassed. Hydro's in-house nuclear training program is the oldest and best-known of its kind. According to the director of the Institute for Nuclear Power Operations in Atlanta, the retraining, even for maintenance staff, is impressive. The results have been equally impressive, as indicated by the fact that, just this July, Hydro's nuclear staff set a record of 100 million man-hours of work without a fatality.

As for reactor performance, in 1983 four of Ontario Hydro's reactors were among the top 10, with Bruce 4 ranking second with a gross capacity rating of 94.6 per cent. In 1982, five of the top 10 reactors in the world were operated by Ontario Hydro, with Bruce 3 running at a gross capacity factor of 96.8 per cent.

Even these few simple comparisons serve to indicate that Ontario Hydro is a financially sound and well-run utility. The facts as I have detailed them support that conclusion and they are facts we will not often hear mentioned in this House. I believe the managers and employees of Ontario Hydro are doing a good job for the people of this

province, and they deserve to be told that from time to time.

As a member of the standing committee on public accounts which received and reviewed the auditor's report on Hydro, I was impressed by the number and quality of corporate cost-control mechanisms Ontario Hydro has developed to monitor its projects. In my view, it is these mechanisms that stand between Darlington and Diablo Canyon and have ensured that Darlington has remained not only a necessary project but a financially viable one.

I have a lot more other information that I would like to put on the record, but unfortunately my time has run out.

Mr. Conway: Mr. Speaker, your invitation to speak is always so vigorous that I feel I have an obligation to respond with equal vigour. I know my friend the member for Cochrane North (Mr. Piché) would agree with that.

I want to address my remarks to the chair on this important matter that has been put before the Legislature by my friend the leader of the New Democratic Party. It is an interesting debate. I was not here to hear it all, but I have enjoyed the observations of my House leader and the member for Bellwoods (Mr. McClellan) and, of course, the most recent contribution by the member for Lakeshore (Mr. Kolyn), who certainly brought a very dispassionate, disinterested, measured assessment to these sometimes partisan questions.

It is difficult to know what happened in New York City that steamy day in late August 1984. I see my eastern Ontario friend the member for Carleton East (Mr. MacQuarrie) is advising the last government speaker on this matter. Perhaps we will have the benefit of the wisdom of my friend from Carleton East.

It is difficult for those of us who were not there—

Mr. MacQuarrie: Let us hear about Chalk River.

Mr. Conway: The honourable member reminds me of Chalk River. In fact, it is wise that I should be reminded of Chalk River and Deep River—

Mr. Nixon: The finest speech I ever heard about atomic energy came from this member.

Mr. Conway: Exactly. I am glad to hear that from my friend the member for Brant-Oxford-Norfolk (Mr. Nixon).

It is difficult for those of us who were not there to know for sure what actually happened at that meeting in New York City late in the summer of 1984.

We do, as my friend the member for Brant-Oxford-Norfolk observed in his speech, have three versions of the event. We have the Treasurer's version; we have, as a party at least, the testimony of Ms. Marie Cavanaugh, an Ontario analyst with Standard and Poor's; and we have the view of the first minister, the Premier.

As my friend the member for Brant-Oxford-Norfolk properly pointed out, the views of the first minister and the Treasurer are at some very considerable variance in this matter.

When I assessed the comments of the Treasurer, compared them to the comments offered by the Premier and took into account what Ms. Marie Cavanaugh told our staff, I came to the conclusion, on the basis of the evidence, that the Premier's version appeared more likely and more credible.

My friend the member for Carleton East will understand I make that judgement on the basis of the evidence.

Mr. Nixon: A nice way to put it, too.

Mr. Conway: I do not suggest that we have all the evidence. My learned friend the Minister of Education (Miss Stephenson) says, "some of the evidence." It is difficult, as members will understand, to try to pry open all the doors of a government that is 41 years and three months old. It is not easy. The tendencies towards secrecy and playing it close to the vest are great and apparently getting greater all the time, but when our Premier, a very distinguished member of the Law Society of Upper Canada, says he went to New York City to appear before "an appeal tribunal," I really believe the first minister meant exactly what he said.

One can criticize the outgoing Premier for a lot of things, but I do not think it is fair or reasonable to criticize him for using imprecise language. I think when he said he went to an appeal tribunal, he believed that he went to just that.

I have very good sources inside the Ontario government who came to me privately and clandestinely after the fact and said, "By the by, you were right. The Premier was telling the whole truth and the Treasurer was telling..." whatever members have to conclude as a result of the first statement.

Mr. Nixon: Does the honourable member mean his credibility is not triple-A?

Mr. Conway: I do not think, quite frankly, that the credibility of the Treasurer on this question is triple-A.

One of my sources in Treasury said: "It was rather strange for us that the Treasurer handled it the way he did. We thought, quite frankly, that

he and the Premier did a bang-up job in New York City. A preliminary decision had been made to downgrade the credit rating of Ontario, and Larry Grossman and Bill Davis went down on very short notice and made a very impressive and compelling case that was successful."

According to my source in Treasury, there is a fair measure of incredulity in Treasury that the Treasurer did not want to take any credit for the success of his mission. That was an interesting observation from within the government itself.

It is interesting to note this division of opinion across the way on the front bench of this government. I will not get into other divisions developing as a result of other happenings in the Progressive Conservative Party, but I think it is important to state at the outset of these brief remarks that on the basis of the evidence, the reasonable citizen has to conclude that the Premier is more likely to be believed than his junior minister the Treasurer.

Beyond the politics and the intricate matters of finance necessarily involved in this question, my electors in Renfrew North want to know what it all means. What does it mean that the Treasurer and the Premier had to make a special trip to New York in late summer to appeal a preliminary decision by one of the credit rating agencies to downgrade the credit of Ontario?

5:10 p.m.

We can deal with that very important question in a number of ways. The member for Bellwoods very properly drew our attention to a number of very serious impacts that will be felt by the citizenry of this province as a result of the private deal struck in the oak-panelled corridors of Wall Street on that steamy day in August 1984.

However, in the first instance, I suspect Standard and Poor's expressed even more concern about the financial management of the affairs of Ontario. I suspect Standard and Poor's expressed great concern about the voracious appetite for public funds that is associated with our gargantuan public utility, Ontario Hydro.

I say that because the evidence of some years ago, which Mr. McKeough offered to this Legislature, would have a reasonable citizen conclude that financial agencies and credit rating bodies in New York are always interested in and usually concerned about Ontario Hydro's apparently endless appetite for funds.

I suspect that beyond the very great appetite of Ontario Hydro for funds, Standard and Poor's is concerned about the deficit position of the Ontario government. I am sure the member for Brant-Oxford-Norfolk might want to share with

me the idea that maybe somebody at Standard and Poor's remembered that in 1977 then Treasurer Darcy McKeough said the budget of Ontario would be balanced by 1984. Maybe somebody at Standard and Poor's remembers that. Maybe that is part of its concern.

Maybe somebody at Standard and Poor's agreed with the Treasurer's view, as expressed in the race the other day, that Suncor may not have been a very good investment. Maybe somebody at Standard and Poor's agrees with the Treasurer that it did not represent very good financial management on the part of a province that is struggling to meet many of its more basic and human service requirements.

Maybe somebody at Standard and Poor's agreed with some of the four horsemen in this, if not apocalyptic race, leadership race, that Suncor was not very good news and they ought to be concerned about it. Maybe somebody at Standard and Poor's was worried about the three quarters of a billion dollars in inventory the Ontario government now has in the land banks. Maybe this is the kind of financial management Standard and Poor's is concerned about.

Mr. Ruston: That is called Tory mismanagement.

Mr. Conway: We will never know for sure. Members can be certain the vests have been drawn very tight at Standard and Poor's and at the Cabinet Office level here in Ontario.

Mr. Nixon: Next year, we will draw back the curtain.

Mr. Conway: The curtain will be drawn back and the windows will be thrown open. I think only a change of government will give the people of Brockville, Wilson Heights, Lakeshore, Stoney Creek and Moose Creek the opportunity they have long sought for a clear look at the books of this province.

Maybe somebody at Standard and Poor's has been doing some cost accounting of the dreams of John White. Maybe somebody at Standard and Poor's has been up to that kind of calculation. If they have, I am not at all surprised they might be very concerned about what they found.

About cutbacks, of course the member for Bellwoods is right when he draws our attention to the fact there are going to be cutbacks, particularly in the social programs of this government, as a result of this secret concordat agreed to by both parties on that steamy late August afternoon in New York City.

I suspect members are already in possession of some of the relevant information. For the past year, the Minister of Health has been telling me

he was about to announce some additional funds for the expansion of our extended and chronic care facilities in my home city of Pembroke, to give credit to a commitment entered into about 17 months ago by his predecessor in the Ministry of Health and now our Treasurer.

Do members know what the Minister of Health keeps telling me? He says he cannot do it this day in July or August, or September, or October or, worse still, even now in November, almost a year and a half after the Treasurer made that commitment when he was Minister of Health. Why is it the Minister of Health cannot give the money to make good the Treasurer's commitment? He says, "I do not have my allocation from the Treasurer." I have to believe the Minister of Health is telling the truth when he tells me that.

What the people of Pembroke are seeing is that holdback is a direct result of a kind of arrangement that was struck in New York some two months ago. We are seeing a kind of legislative legerdemain, if I can be bilingual in the spirit of the Minister of Health earlier today. We are seeing sleight of hand. We are going to see cutbacks in the old Tory way. That which was supposed to be released in the first quarter of this year will be held back to the last quarter of this fiscal year so it can be charged against next year's account.

The Conservative mentality and practice in this province, Mr. Speaker, as you know well from your Markham and Vankleek Hill experience, is one of great subtlety and nuance. There will not be any place where the member for Bellwoods or the member for Renfrew North can go to try to get a good picture of what is actually going on.

It will be incrementalism at its Conservative best, but the net result will be exactly what we are seeing now in chronic and extended care facilities for the people of Pembroke and Renfrew North. It was promised a year and a half ago, and now we are still being told there is no allocation. What balderdash. How can there be no allocation when we are almost halfway through this fiscal year and these commitments go back a year and a half?

The reasonable citizen would have to agree with the member for Bellwoods and others who have properly drawn our attention to the cutbacks now taking place and which are going to continue as a result of undertakings given by the first minister and his junior minister of Treasury at that Wall Street meeting two and a half months ago. That was all before the knife of Michael

Wilson was dug deeply into the corpus of the Ontario citizenry.

Imagine it; fantasize with me what blood there will be on the floor when Mr. Michael Wilson is finished with his surgery. How pathetic it is to see the junior minister of Treasury standing here today saying: "It is not really a sharp increase in gasoline prices. Gasoline prices are just going to moderate upwards." I have not heard anything as pathetic since I heard United States Secretary of the Treasury Donald Regan say: "We do not talk about tax increases in the Reagan White House. We are more particularly concerned about revenue enhancement."

My friend Jean Chr tien has said it will not be long before the dishes fly in the kitchen of Conservative Canada. I think I hear the sound of china breaking. I see cups and saucers flying about me, and it has only just begun.

Mr. MacQuarrie: The cupboards are bare.

5:20 p.m.

Mr. Conway: My friend the member for Carleton East might feel the pain of this more quickly and deeply than anyone else on that side. The member for Carleton East knows that only too well.

I heard the Treasurer say today he had dinner with the Minister of Finance for Canada the other day and he felt he made progress. Let me reiterate what the Minister of Finance for Canada said Thursday night: "The growth of these payments," meaning federal transfer payments, "has been steady and rapid. If the federal government is to contain its expenditures in general, it is appropriate to ask whether transfers to the provinces should be insulated from policies of restraint. The answer is not simply to top up federal or provincial funding for health and post-secondary education. The answer," said Mr. Wilson, "is not simply more money."

Is that not interesting? Last year about this time the then Treasurer of Ontario, the current Minister of Industry and Trade (Mr. F. S. Miller), said, when federal government cutbacks were being discussed, the problem was just money.

I know in her heart at least the Minister of Education understands exactly what Mr. Michael Wilson intends by that statement of last Thursday evening. I am sure that when the minister of all education takes aside the junior Treasurer and Minister of Economics, as she must have done in the recent past or will do in the very near future, she will want to ask on behalf of the people of Ontario, "Did you back Mr. Michael Wilson up to the back wall at Meech Lake and say, 'There

will be no cuts; there will be no slowdown in the rate of transfers from Ottawa to the provinces'?"

"As minister of all education," she would have to argue, "I am embarrassed to a fault when my senior advisory body"—namely, the Ontario Council on University Affairs—"has just reported that the government at Queen's Park now has about the worst record of support for higher education in the universities of all the provinces in the Dominion of Canada."

Someone must spare this minister of all education from any further embarrassment about being 10th and last in the level of support for the universities of this province. But what is Mr. Michael Wilson threatening? He is threatening that there will be cutbacks and significant caps on federal transfers for higher education.

In conclusion, let me say it has only just begun. The kitchen door and window are now open, the china is flying and breaking. I have a feeling that from Sudbury to Brantford people in this province are soon going to understand that the Conservative meal tastes decidedly worse than it might have appeared some happy weeks ago.

Mr. Rae: Mr. Speaker, I want to say just a very few words in this debate and to congratulate my colleagues the members for Port Arthur and Bellwoods for putting the case as clearly as they have.

There are really two issues at stake here and they have been covered by other speakers. The first is the question of credibility. Time does not permit me to go through the chronology again to show how the story has changed, how the account has changed and how the words have changed in describing these meetings and the meaning of these meetings.

I would make just one point. I dealt with the Treasurer when he was the Minister of Health and we had several very tough exchanges on several issues. In those exchanges and in dealing with him in this Legislature and in committee during that time, I have gained some assessment of what kind of person he is, what kinds of tactics he uses and what kinds of strategies he uses. He is not a slouch. He is a very effective debater and a very effective politician.

I suggest that if the account contained in Mr. Hoy's article in the *Toronto Sun* had been completely off base and had been substantially and totally untrue, the Treasurer would have done a couple of things. He would have called a press conference on Monday morning and would have said, "This is absolute, arrant nonsense and has no truth in it whatsoever." He would have

made a statement at two o'clock in this Legislature and said, "On a matter of personal privilege, there has been a statement made in the *Toronto Sun* by a reporter whom I would ordinarily regard as reliable which is completely and utterly untrue."

That is exactly what he would have done, but that is not what happened. What did he do? He disappeared. He could not be found. He was unavailable for comment. We had to bring this Legislature to a complete halt. The House had to be adjourned, the bells had to ring, three people had to get thrown out and finally we dragged the Treasurer from a couple of doors away.

We brought him into the Legislature where he and the Premier gave the longest, most complicated song and dance I have heard in a long time. It compares favourably for straightforwardness with anything Paul Martin or Allan MacEachen ever said in the House of Commons in Ottawa. It did not add up.

That is the first thing I want to say. It does not add up. They cannot say the whole exercise is retrospective one day and then have the evidence from Standard and Poor's that shows it was not retrospective. There was a projection of what the budget deficit was going to be. Then we had the Treasurer finally admit he was talking about a \$1.2-billion figure, which represents a cut of \$800 million in the size of the deficit.

It would be wrong to think this debate and this issue are simply about credibility, though that is an important question. That is not all it is about. It is about choices and priorities and a government making choices and establishing priorities.

We are going to have an argument in this Legislature, and I hope it will continue politically for some time to come. It is not just an argument about deficits, debts, bankers and credit ratings. It is an argument about the purpose and role of government. It is an argument about what the job of a government is at a time when our economic recovery is sputtering, to use the word of the Minister of Labour (Mr. Ramsay). That is his word, not mine.

At a time when our recovery remains fragile, when plants are closing, as we witnessed in the discussion here today, when poverty is on the increase in this province and indeed across the country—there are more poor people today than there were four or five years ago; there are more people living below the poverty line today than four or five years ago—that is not the time for a government to be focusing its attention on reducing its own deficit and level of investment

in the provincial economy. That is a wrong-headed move.

As the government of Ontario does that simultaneously with similar steps being taken in Ottawa, it is going to level a crippling blow to the possibility for recovery in this province. It is going to ensure more meanness, greater hardship and a tougher time, frankly speaking, for ordinary people.

No one likes debt and no one likes to be in debt. I want to suggest very bluntly, and I put it in as simple and straightforward a way as I can, that the Treasurer is buying his financial respectability at a price that is unacceptably high. It is a price we should not be asked to pay in this province, one that makes no sense economically, morally, socially or politically. It is a price that means the average, ordinary Ontarian will go deeper into debt.

The government is going to go around saying it has a triple-A credit rating, but that will be bought at the cost of more farmers and ordinary consumers going into debt, more people being unable to buy homes or afford mortgages. That is the price of Tory policy.

5:30 p.m.

I want to make it very clear that debts and deficits are important. These are things that have to be kept under control. They have to be watched and dealt with, but what we are witnessing today is a government armed with a self-righteous and wrong-headed philosophy, comforted by the fact that it is a philosophy shared by more and more provincial governments and a federal government in Ottawa that is simply going down the wrong road. It is a road that will cost jobs, opportunity and fairness.

I think the issue is joined. It has been joined already on the question of credibility, and I think that has been dealt with. I take a common-sense view, as many people do, on whether I think somebody is telling the truth or whether the story adds up. In my judgement, the Treasurer's story does not add up. Like the member for Renfrew North (Mr. Conway), we all have our sources. I have had enough confirmation from sources I rely on to believe we are on the right track and that the Treasurer is being less than completely frank.

Fundamentally, it is an issue that is more important than what the Treasurer may or may not have said or what he may or may not have meant. The fundamental question is, is this the time to be purchasing a triple-A rating and financial respectability at the cost of ordinary people? I say this is not the time.

The price is simply too high and the priorities have now been set in the wrong direction. The cost has been set out by my colleagues, the member for Bellwoods and the member for Port Arthur, and I think the cost is very clear. Saying to the people of this province, "There will be no new initiatives in social or economic programs," which is what the Premier said in his statement to cabinet, is a declaration of bankruptcy on the part of the government of Ontario. It is a statement saying, "There is no hope for those who need hope and those who need help." Frankly, I do not think that is good enough, nor is it what the people of this province want.

In answer to a question, the Treasurer said, "We will have a whole election on free enterprise and how we are going to set enterprise free." We are not holding back the free enterprise system. If capital formation wants to grow, let it grow. If private companies want to invest, let them invest. If they want to take charge of the economy and invest in new jobs, let them do it. Nothing we are saying is holding them back.

What we are saying is, "Stop the ideological claptrap that says 'We are going to stop spending' and magically the private sector is going to grow like a flower in the desert." That is arrant nonsense. The Treasurer must know it is nonsense. It is something for which the government has to be called to account.

Hon. Mr. Grossman: Mr. Speaker, I have read the motion under debate. Indeed, I listened to part of the debate this afternoon. I always take what is worth listening to and take seriously what should be taken seriously, which limited part of what I listened to on behalf of the third party this afternoon.

As I look at the motion, it has statements that clearly do not reflect reality, do not reflect the discussion in this House and, incredibly, premise a motion of no confidence on statements that just are not accurate.

Let me read the motion. It says the motion is being moved on the basis of "the decision of the government to place a greater weight on the views and priorities of a New York bond rating agency than on the needs and priorities of this province."

As I refer members back to discussions in this House by this Treasurer, the Premier of this province and even by the people at Standard and Poor's, there has not been anything in those statements to indicate we place a greater weight on the views and priorities of a New York bond rating agency than on the needs and priorities of this province. That would be impossible to say,

particularly in light of the fact that the allocations process in this government this year, as in every year, is just being undertaken now.

Let me go further. The motion refers to "the government's decision to cut back further on education, health and social services spending which is critical to the future of our province, rather than to bring the spending and borrowing plans of Ontario Hydro under control."

Let us look at that premise of this motion, "the government's decision to cut back further on education." As I reflect back on our budget, the events flowing therefrom and the funding decisions made therein, I have to report to members that we have in this province an inflation rate of just over four per cent. We have a circumstance in which transfer payments to post-secondary institutions range from 6.4 per cent to 7.5 per cent, with an inflation rate of 4.4 per cent.

About the alleged cutback on health, right now I would estimate that from the 1984-85 budget for the Ministry of Health—and let us just talk about hospitals for a moment—hospitals will end up accounting for perhaps an eight per cent increase in funding this year in a 4.4 per cent inflation environment.

However, the motion is premised upon "the government's decision to cut back further on education," which I have dealt with, on "health" to which I have just referred, "and social services spending." I refer to the alleged decision on social services spending.

I am standing here, I guess just two or three weeks after my colleague the Minister of Community and Social Services (Mr. Drea) announced not a cutback in social services spending, not a maintenance of the status quo in social services spending, but an increase in social services spending—that is, in welfare—this coming year of 4.5 per cent. That is hardly consistent—

Mr. Nixon: What about unemployment?

Hon. Mr. Grossman: Well, I am reading the motion. The member can talk about unemployment whenever he wishes.

The motion states, as I remind members, "the government's decision to cut back further on education, health and social services spending." There is not the slightest shred of evidence to indicate either that a decision has been made to cut back or that there were earlier cutbacks, because a look at our budget and a look at our spending estimates for 1984-85 would not sustain that statement. It is just not true.

I have listened to the debate this afternoon. I have had a summary of some earlier comments

offered me. There has been no evidence offered this afternoon to indicate that there has been a decision made, or that there were earlier decisions made, to cut back. It just will not be sustained.

With regard to a current decision, let me say quite clearly that the allocations process is undertaken in the fall of each year; it is commenced in late September. It is under way now. No decisions have been made. It would be incredible for members of this House to stand here and suggest that there has been a decision by the government to cut back on these items for next year when the government is several weeks yet away from making decisions on those items.

Mr. Nixon: You have accepted a lower deficit.

Hon. Mr. Grossman: That is true, but this year we reduced the deficit and increased spending in these areas. We have shown it can be done.

Mr. Ruston: You forgot about the federal Liberals giving you \$350 million.

Hon. Mr. Grossman: Let the member watch. I will be in one of these seats in two years and we will chat about it.

Mr. McClellan: Keep the flim and the flim-flam up.

Mr. Speaker: Order.

Hon. Mr. Grossman: Let us keep the member in his caucus where he belongs.

I should tell members, too, that as we begin the budget allocations process every year, it commences quite properly and responsibly with all the priorities of the government with respect to increased spending on the table for discussion. Let us look at those priorities. Health, education and welfare spending, referred to in this very motion, comprise well over 50 per cent of all the spending we do.

One of the items of spending is public debt interest. Indeed, it has been one of the highest growth areas in the provincial budget for several years and that is a problem. How do we deal with that high growth area of the government's expenditures?

There are two ways. One is to reduce the deficit. We consider the need to reduce the deficit and, hence, decrease public debt interest spending. As part of the allocations process, it is implicit in that process. But there is a second way to do it. We make an implicit decision with regard to how much we are going to be willing to pay in interest payments and what priority we place upon the interest rate we do pay.

5:40 p.m.

How does that prioritize against other spending? Implicit in making that decision is a discussion of whether indeed we want to have the credit rating go down to perhaps double-A plus. It would then still be among the best in the world, I remind members, but it would imply a higher rate of interest.

If the government were to undertake the allocations process every year and say, "Let us discuss the spending of a lot of ministries, but let us ignore the second-highest growth item in the provincial budget," which is public debt interest, we would be doing an incomplete, careless and sloppy job in the allocations process.

How does one take that into account? Quite properly, one takes it into account by beginning the process, writing every ministry in the government and inviting it in to what the Premier euphemistically describes as "the court of appeal."

Mr. Martel: He is too careful. The Treasurer should not play with us. The Premier has never taken a word out of context.

Mr. Speaker: Order.

Hon. Mr. Grossman: We will invite the member to attend the court of appeal some time in 1985. We will see how he does.

Mr. Rae: If the Treasurer appears before a court of appeal, they will close their books.

Hon. Mr. Grossman: We will all appear some time next year and we can see how we do. We will start with 56 per cent, the members opposite will start with 23 per cent and we will go from there. I have news for them: We will end up higher than 56 per cent and the members opposite will end up lower than 23 per cent.

Mr. McClellan: The Treasurer will not be here. He will be somewhere else.

Hon. Mr. Grossman: I will be here.

Mr. Speaker: Order.

Mr. McClellan: He will be working in a legal aid clinic.

Hon. Mr. Grossman: I say to the member for Bellwoods that if I am working in a legal aid clinic, I will look after his problems any time. He can come right on up.

Mr. Speaker: Proceed, please.

Mr. Conway: Is the Minister of Natural Resources (Mr. Pope) not suing?

Hon. Mr. Grossman: Suing whom?

Mr. Conway: The member for Bellwoods. He needs a lawyer.

Hon. Mr. Grossman: I would not take that case. The member for Bellwoods is sure to lose. He is absolutely right; he needs a better lawyer than me to defend him. He is going to need the Attorney General (Mr. McMurtry), but the Attorney General will still be here.

Mr. Martel: He has a losing record too.

Hon. Mr. Grossman: It is better than 23 per cent. Did we have 23 per cent or did they have 23 per cent? I forget.

Mr. Speaker: Now back to the resolution.

Mr. Conway: And if the member for Muskoka (Mr. F. S. Miller) wins?

Hon. Mr. Grossman: Whoever wins over here it will not be as bad as the Leader of the Opposition (Mr. Peterson) winning. My friend should remember that.

Mr. Conway: I have \$100 in US funds that says if the member for Muskoka loses, the member for St. Andrew-St. Patrick (Mr. Grossman) will not be around. The member for St. Andrew-St. Patrick is doing well.

Mr. Speaker: Back to the resolution, please.

Hon. Mr. Grossman: I will accept that wager.

Mr. Kolyn: I will take it. What odds is the member giving?

Hon. Mr. Grossman: Unfortunately, we will not find out, but that is a different story. I wager only in Canadian funds.

Stuart Smith would want me to say that whoever wins over here will get a fair shot to govern, will not get knives in his back and will be here for a lot more than one or two elections. Stuart would want me to offer that.

Mr. Breaugh: Remember Joe Clark?

Hon. Mr. Grossman: Remember Stuart? He is what the member for Brant-Oxford-Norfolk would call double-dipping. He would want me to remind my friend of that.

An hon. member: No, surely not.

Hon. Mr. Grossman: Well, it is true. Who knows, twelve months from today the Leader of the Opposition could be double-dipping, and the member for Renfrew North could have the next chance at the leadership. Who knows?

Mr. Speaker: Order.

Mr. Conway: Mr. Speaker, on a point of privilege: What the member for St. Andrew-St. Patrick says about my former leader is true. But it is also true that compared to Allan Grossman, Stuart Smith is the little dipper.

Mr. Speaker: Now back to the resolution.

Hon. Mr. Grossman: Mr. Speaker, I want to say quite clearly that, compared to my father, indeed Stuart Smith is a little dipper. Let me make that very clear. I agree with the honourable member. Mind you, I should correct the record. I am not sure their former leader is double-dipping; I do not think he is eligible for a pension.

Mr. Breagh: He was not here long enough.

Hon. Mr. Grossman: That is exactly the point. They get rid of them so young and so quickly over there that he probably is not eligible for a pension. There could be a long list of those. I guess Andy Thompson is double-dipping too, is he not? He is another former leader. Did he go to the Senate?

Hon. Miss Stephenson: Yes.

Hon. Mr. Grossman: So he is getting a cheque from Ottawa and a cheque from here.

Mr. Speaker: Now back to the resolution, please.

Hon. Mr. Grossman: I am losing count of former leaders. You will forgive me, Mr. Speaker. There is a never-ending list of former leaders over there.

Interjections.

Hon. Mr. Grossman: It is an honourable list; the members should read it.

Mr. Conway: What about John Yaremko, Allan Grossman, Lincoln Alexander, Willis Blair?

Mr. Speaker: Order.

Hon. Mr. Grossman: Where is Mike Bolan today?

Mr. Conway: Where is Mike Bolan today? I think he is in Brampton.

Hon. Mr. Grossman: Yes, he is. He is sitting on the bench.

Mr. Breagh: A fifth candidate has just arrived, the member for Scarborough Centre (Mr. Drea). Did a quinnella come in? Is that why he is wearing a tuxedo?

Hon. Mr. Grossman: My colleague has just returned from New York. When Ontario goes to New York, you dress properly.

Mr. Kolyn: He is the fifth candidate. He is announcing tonight.

Mr. Conway: We have \$100 on this, and the member for Lakeshore holds the money.

Hon. Mr. Grossman: The member is covered.

Interjections.

Mr. Speaker: Order. Now once more, back to the resolution.

Hon. Mr. Grossman: Mr. Speaker, you will remember the resolution.

Mr. Speaker: I do indeed.

Mr. Martel: How many times do you think you should warn him, Mr. Speaker? You have been up five times.

Mr. Speaker: Three.

Hon. Miss Stephenson: I hope the member for Sudbury East (Mr. Martel) is not back in school if he counts that badly.

Mr. Martel: How many chances do you give him?

Mr. Conway: He is going to get more chances in this House than he will get at the convention.

Mr. Speaker: Order.

Mr. Bradley: How were the delegates at St. Catharines?

Hon. Mr. Grossman: Very good. It was a good meeting last night.

Mr. Speaker: I trust you are going to proceed.

Hon. Mr. Grossman: That is certainly my plan, Mr. Speaker.

We have made it quite clear in terms of our discussions in New York and, more important, our budgetary plans, that there has been no evidence or suggestion that this government trades off anything, except a sensible decision with regard to where it is going to spend its money, field against field, ministry versus ministry.

In assessing those requirements, I repeat that it would be absolutely careless if we did not take into account the price we pay when we borrow money. That is not to say we sacrifice anything. Indeed, the record will show that what happens in this government is that there is a proper allocation between ministries serving the public and, in all the areas mentioned, serving extremely well with a wide variety of services. It has succeeded, almost uniquely in Canada, in maintaining a triple-A credit rating, which has kept down the cost of borrowing for the public of this province.

A very important discussion might well be held in this assembly with regard to whether we should increase our public debt interest by running up larger deficits and paying more in interest rates. I would be very straight. All my colleagues, I think, and I would disagree with the view put forward by members opposite. It is a view which I read in journals sometimes, which is that we should run up large deficits, not worry

about credit ratings and hope and pray that in the long run we will be able to catch up to that deficit and pay down the interest.

Perhaps the former federal government followed that policy. It now finds that one third of all its tax revenues is going simply to service debt. That is not something we subscribe to on this side of the House. We think it is important that we do not have to do some of the things that the former federal government had to do, such as cut the very areas that are being expressed as areas of concern today, and do so unilaterally.

Just contemplate health and education, two areas that the former federal government slashed without warning or notice and without consultation with the provinces. I remind the members opposite that we have not had to do that. We have not done that in this province.

I suggest the balance is an absolutely appropriate one.

5:50 p.m.

Mr. Haggerty: You are going to close down a lot of hospitals.

Hon. Mr. Grossman: What was that?

Hon. Miss Stephenson: Do not pay any attention to him; carry on.

Hon. Mr. Grossman: We have not gone through any cutbacks in health, education or welfare.

Mr. Foulds: The minister is flat again, just like his announcement for the leadership: boring.

Mr. McClellan: Bring on the old Larry. This is too dull.

Hon. Mr. Grossman: Let us hear the member's economic claptrap again, to use his phrase. I will tell the member what makes—

Interjections.

Mr. Speaker: Order.

Hon. Mr. Grossman: As Jim Laxer says, "At some stage you guys have to come into the 20th century and change your policies." That is the same thing the member for York South was

saying in the House of Commons seven years ago. How times have changed.

While times change, there are some things that do not change. One thing that does not change is the dedication of this government to try to balance budgets, to reduce deficits and in doing that to maintain and—indeed, my colleague in the tuxedo here would be able to attest to it at first hand—improve education, health and in particular social spending to the point at which it, together with our triple-A credit rating, is the best in Canada.

5:57 p.m.

The House divided on Mr. Rae's motion, which was negated on the following vote:

Ayes

Allen, Bradley, Breaugh, Bryden, Charlton, Conway, Cooke, Di Santo, Eakins, Edighoffer, Epp, Foulds, Grande, Haggerty, Laughren, Lupusella, Mancini, Martel, McClellan, McGuigan, McKessock, Miller, G. I., Newman, Nixon, O'Neil, Philip, Rae, Reed, Riddell, Ruprecht, Ruston, Samis, Stokes, Swart, Sweeney, Wildman, Worton, Wrye.

Nays

Ashe, Baetz, Barlow, Bernier, Birch, Brandt, Cousens, Cureatz, Dean, Drea, Eaton, Elgie, Eves, Fish, Gillies, Gordon, Gregory, Grossman, Hodgson, Johnson, J. M., Kells, Kennedy, Kerr, Kolyn, Lane, Leluk, MacQuarrie, McCaffrey, McCague, McEwen, McLean, McMurtry, McNeil, Miller, F. S., Mitchell, Norton, Piché;

Pollock, Pope, Ramsay, Robinson, Rotenberg, Runciman, Scrivener, Sheppard, Shymko, Stephenson, B. M., Sterling, Stevenson, K. R., Taylor, G. W., Taylor, J. A., Timbrell, Treleaven, Villeneuve, Watson, Welch, Wells, Williams, Wiseman, Yakabuski.

Ayes 38; nays 61.

The House recessed at 6 p.m.

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Evening Sitting

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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday, November 13, 1984

The House resumed at 8 p.m.

Mr. Foulds: Mr. Speaker, on a point of order: For this very important piece of legislation, I think we should have a quorum in the House.

Mr. Speaker ordered the bells to be rung.

8:06 p.m.

THEATRES AMENDMENT ACT

Hon. Mr. Elgie moved second reading of Bill 82, An Act to amend the Theatres Act.

Hon. Mr. Elgie: Mr. Speaker, as I indicated in a lengthy statement to this House in May, the purpose of these amendments in part is to bring commercially distributed videotape under the authority of the act. Approval and classification of tapes will be carried out using exactly the same methods and standards as are currently applied to film distributed for public exhibition. In addition, videotape retailers and distributors will be licensed in the same manner as motion picture distributors.

The lack of content information on videotape products is an area of particular concern to consumers, especially those videotapes for viewing by children. A sticker bearing one of the four film classification symbols now used in Ontario will be applied to videotapes, enabling consumers to determine content and suitability for home use. These four classifications are: family, parental guidance advised, adult accompaniment required under age 14, and restricted to persons 18 years of age or over.

The expansion of the jurisdiction of the Ontario Board of Censors into the area of videotape regulation comes as a direct result of the explosive growth of this medium over the past few years. Consumers are buying and renting videos at an ever-increasing rate and they are looking for more information about the tapes they are taking into their homes.

As is the board's present practice in dealing with film, videotapes submitted for approval will be judged on their own merits. The board may from time to time request as a condition of approval that certain cuts or eliminations be made if it considers those scenes to be in contravention of community standards as will be set out in regulation. I want to make it clear, however, that an identical video version of a

theatrical film will receive the same treatment and classification as the film itself.

Other amendments in this bill will meet the courts' requirement that the board's criteria should be codified to comply with the Charter of Rights and Freedoms of Canada. Community standards will be prescribed by way of regulation, setting out the criteria under which the board may refuse to approve a film or videotape for commercial distribution. In addition, the four well-recognized film classifications in use at present will be formalized and included in the act.

8:10 p.m.

As I indicated in May, the guidelines used by the board are neither arbitrary nor repressive. In fact, most people will view them as being flexible while still maintaining a generally accepted standard based on a community consensus. These guidelines have been widely distributed in brochure form to theatres, community groups, libraries and schools over the past few years. Historically, informal feedback from the community and surveys of public attitudes have allowed the board periodically to reassess its guidelines to determine whether they continue to reflect the attitudes of the vast majority of Ontario's citizens.

Is it really any surprise that recent surveys show the vast majority of Ontarians do not want a proliferation of violent films? They do not want violent rape scenes depicted on film in which women are portrayed as enjoying their own degradation. The people of Ontario are reacting and speaking out on this issue. They are sending us a very clear message and we have an obligation to respond.

I should also point out to members that the Attorney General (Mr. McMurtry), in concert with other provincial attorneys general and ministers of justice, is reviewing and making recommendations for amendments that will strengthen federal Criminal Code provisions respecting obscenity. Ontario has stressed the need for amendments to the code to deal with the rapid increase of violent pornography entering Canada and we have stressed the need to beef up the customs and excise provisions in this area.

The Attorney General has also recommended review in the area of possession of obscene or excessively violent material, particularly child pornography. He has also called for changes dealing with the undue exploitation of cruelty or violence with respect to women.

Bill 82 will officially formalize the appeals procedure available to film and video distributors who are unhappy with the board decision. This appeal process has been in use by the board as a matter of practice since 1981 and it involves the prompt rescreening of a film by a different panel of board members. Rescreening has shown itself to be an effective and expedient way for film distributors to obtain a final ruling from the board.

The amendments will also pave the way for the eventual expansion of the board, allowing for an even broader and more diverse representation of the Ontario community. At present, the board is made up of 15 appointed full- or part-time members and one full-time, nonvoting chairman. This amendment would provide for the designation of one or more members as vice-chairman. An enlarged board could well exceed 25 members.

Another amendment provides for the renaming of the board to reflect more effectively its primary function. The Ontario Board of Censors would be known as the Ontario Film Review Board. Approximately 2,000 films and videotapes are handled each year and the vast majority of those are simply classified before distribution.

Further, the Theatres Act is being amended to require the director of the branch to provide the Minister of Consumer and Commercial Relations with an annual report, which upon receipt will be presented to this House, tabled and may be referred to committee for review.

In addition, the power of the theatres branch inspectors appointed under the act will be more clearly defined. It is the duty of those inspectors to supervise the examination and testing of projectionists and, by written order, to prohibit the screening of any film the inspector believes has not been approved for exhibition.

Also, the classification of theatres is updated. One regulatory change will be that theatres used primarily for exhibition of film other than so-called standard film will also be licensed. For example, the theatrical exhibition of videotape as well as eight-millimetre and 16-millimetre film will require a licence under the act.

The bill also amends two subsections of section 222 of the Municipal Act, which provides local municipalities with authority to regulate

adult entertainment parlours. At present, there is an anomaly in that this subsection exempts premises licensed under the Theatres Act from such municipal bylaws passed under that section. This has effectively created a gap allowing both live entertainment and film to be featured in a licensed theatre.

Before concluding my brief opening remarks, I would like to remind the members that there is a much larger issue at stake here, even larger than film censorship, whether one considers it licensed or whatever, and the laws required. I do not want to conclude these remarks without addressing it briefly. There have been many theories about the connection between degrading pornography and violence with anti-social behaviour, or at the very least with a process of desensitization to those things in society that would ordinarily offend us were we to see them for the first time.

There are those who say that the problem is one of male anger, which if not fed by pornography and violence will find another outlet. However, there are groups that have concluded, as has the Metro Toronto task force from its point of view, and as have many other researchers, that there is a connection between sexual aggression and exposure to pornography. I can only ask, why allow a known catalyst to continue simply by arguing that if it were eliminated, there are other catalysts available?

So much of film violence and pornography uses children and women as its subjects. I am one of those who happens to believe there is a compelling need to work even harder at creating a society where children are nurtured and not abused, where women are treated equally and not degraded, and where one person's power over another does not mean subservience. I agree that creating that ideal kind of world will not be easy. It may even be impossible, but that does not mean we as legislators should not strive for that goal.

I look forward to the debate with the members with respect to this bill on this occasion and at the committee level on the amendments that may be proposed.

Mr. Sweeney: Mr. Speaker, let me say at the outset that I approve of the main principle behind this legislation. I have one major objection that I hope we will deal with in committee; that is, the bill calls for the cabinet to make the decision with respect to community standards.

This party is on record under a number of circumstances as indicating that it feels it would be preferable for an all-party committee of this

Legislature, with the opportunity for open public hearings, to make those decisions. We say that not because we believe that the government, the minister or the cabinet is deliberately going to distort its findings. Our intent is rather to recognize that there is a wide spectrum of public concern about this issue.

As we find with many issues, there are those at either end of the spectrum and there are many various points along the way. It is our sense that this is one of the issues where it is desirable to get as much public support as possible. In order to do that, one must provide the public with as much opportunity as possible to make its input and to know that the decisions with respect to community standards at least are based on that broad public input and as much public consensus as it is possible to get on an issue such as this.

8:20 p.m.

We feel fairly strongly that is important. This is one of those kinds of issues where nobody can make a decision and say: "That is it. Take it or leave it." It is one of those kinds of issues where all sides must be listened to and heard from. For that reason, we will recommend in committee an amendment whereby an all-party legislative committee will make that decision and not the minister and his cabinet colleagues.

I was pleased to note, with respect to that very issue, that section 13 of the bill does provide for a review of the board's decision with respect either to approval or classification, and that the panel of five members would not be those who were involved in the first decision. That is a good idea. I say that because, no matter how carefully a board of censors is selected, there can be times when it may overstep its proper jurisdiction. Simply knowing there is someone else out there who will review a decision they make, if it is not a good decision or at least if it is made too lightly, will perhaps give them cause to be a little bit more careful. We think that is a good idea.

In dealing with the overall issue, we have to be very careful about the nature of the beast we are discussing here. The unfortunate thing is that there are too many people in our society who still believe pornography is erotica or what is sometimes called soft porn—the girlie magazines we used to know. If that is all we were talking about, quite frankly, I believe we would not be here dealing with this legislation at all.

What we have to understand very carefully is that there has been a dramatic and significant change in the kinds of material we are talking about. That was driven home to some of my colleagues in a very dramatic way, which is the

only way I can put it, when they were invited by Project P of the Metropolitan Toronto Police to view some of the material which was under question.

My colleagues are reasonably sophisticated, worldly men and women, but the response they came back with was disgust. It was revolting, unbelievable; they could not believe their eyes and ears. They could not genuinely believe this—I guess all we can call it is garbage—was being peddled in Ontario. They could not believe it because it is not the sort of material that comes to their attention in any kind of a regular fashion.

This has been called, for want of a better word, the new pornography. That word is used and bandied around so carelessly these days—the new this, the new that and the new something else. Perhaps in this particular situation it is appropriate because we are dealing with a dramatically and significantly different phenomenon.

We are dealing with a form of pornography which really is new, which goes way beyond the bounds of acceptability within our society. It is only when people are directly exposed to it, when they see for the first time precisely what we are talking about, that they begin to get the message.

I noticed, for example—and I stand to be corrected by my colleagues in the New Democratic Party—that it has normally been the NDP's position on philosophical grounds to oppose censorship in any form. However, it is my understanding that, at its 1984 convention, its women's committee was able to push through a motion condemning this new pornography and going a small way—and I have no way of knowing how far that is—towards censoring this new pornography.

I make this point only because I respect the philosophical and ideological position my colleagues to the left take. But even if some of their members have begun to recognize that one can push anything too far, that there are some limits, then I think we all have to take note very carefully.

We are speaking of a balance of rights. As so often happens in this Legislature, we have those in our society who say literally anything goes and we have those in our society who say there have to be some limits. This is what we are dealing with here. Those who would say anything goes are those who would say: "No one, but no one, has the right to say what I shall watch, what I shall listen to or what I shall read. Nobody under any circumstances for any reason has the right to interfere with me." Being a Liberal, I must say that holds a certain amount of attraction.

But then there is a second obligation of this Legislature, and that is to protect people in our society, to protect people who are vulnerable and who are exploited. One of the things we have to look at is how many people in our society are hurt or damaged in one way or another by someone else who is motivated by this kind of garbage. We have to ask that question.

The minister has clearly pointed out that there is no universal agreement on this. But there are enough examples and enough studies have been done to raise very serious questions about cause and effect.

I remember very clearly Barbra Schlifer, the young lawyer who was brutally raped and murdered on the day she passed her bar examinations. I remember the reports of finding her abused body and the fact that in the immediate vicinity were also found magazines dealing with the exploitation of women in bondage. I remember in a number of other situations in which people were captured and convicted of crimes like this, when their rooming houses or apartments were searched, a horde of these kinds of materials was often found.

Once again, that is not necessarily a cut-and-dried case, but when it happens over and over again, one has to stop and think. There has to be some connection there.

The minister used the word "desensitizing," and I must agree with him. It is an aspect of this whole question that really concerns me. What we have to realize is that each one of us as a human being is constantly struggling with those opposing forces within us, the opposing forces of good and evil, of right and wrong.

It is something we all have to work through, from the day we are conscious of reason till, probably for most of us, the day we die. It is something we have to deal with in the normal course of events anyway. But when we continually expose people to degrading kinds of activities, to brutalizing activities, then there cannot be any doubt that over a period of time this desensitizing takes place.

8:30 p.m.

A couple of studies and a couple of experiments have been done. One of them in particular examined a group—in this case they all happened to be men—on the group's position on certain issues. It showed them a particularly brutal and degrading film where women and children were exploited and degraded and asked them for their reactions, and those reactions were noted.

Then that group was shown several more films of the same kind. Invariably, after a long

exposure to several films of that nature, the reaction was, "Perhaps it is not quite so bad." In some cases, what was revolting and disgusting at one time became humorous, but even worse was the reaction: "The women in the film seemed to enjoy it. They seemed to agree with it."

We should stop and think about that, about the way in which it changes attitudes and the way in which it might develop motivation. That is something we have to be conscious of and we have to ask ourselves, do we have the right in our society to allow that to develop?

We have come to the point where we have to say that we have a responsibility we simply cannot overlook. I think we have often limited this debate to the consumer, to whether people have the right to see, listen to and read whatever they want, and in many cases it is a difficult question to deal with.

Let us look for a second at the other side of it. If no product were produced, there could not be a consumer. Let us go back to the production and ask ourselves the extent to which women and children are almost invariably the victims of these productions. We very rarely see a man. There are occasional ones, but not many. The victims are women and children.

What degree of vulnerability, what degree of harassment, what degree of exploitation takes place in producing these films and video-cassettes? I have no first-hand knowledge of this. I have never talked to anyone who actually produced one and I have never observed one being produced, but I have read a number of reports and they lead me to one inescapable conclusion. Far too often, the women and the children in these productions are victims themselves. They have been exploited. They have often been forced into situations in which they did not want to participate.

Do we have any responsibility whatsoever in this? It probably would be difficult actually to get at the centres of production. By far and away, they are offshore. It is my understanding that well over 90 per cent, if not more, are produced beyond the confines of our own country and, therefore, we are not likely to be able to get at them directly.

Perhaps we can send back a message. Perhaps we can say by legislation such as this and by a change in the attitudes of our society, which we hope will flow from such legislation: "You are not going to be able to peddle that garbage in this community, in this province and in this country. If you cannot peddle it, perhaps you should not waste your money or time making it."

By doing that, perhaps we can begin to go a little way to protect the women and children who are so exploited, who are so vulnerable and who are so much the victims of this kind of production. They often talk about consent being given, but we should ask ourselves, how can an immature child who is the victim of what is called kiddie pornography give consent in this kind of situation? How can they really understand what is happening and how they are being used? How can they really understand the impact of what is being done and of what they are doing?

In that situation, I would say the word "consent" is a joke. An immature child cannot give consent in that situation in the way I, and I hope the rest of my colleagues in this House, could understand the word "consent."

In October 1983, Judge Borins was asked to review 24 of these videocassettes. Under his understanding of obscenity and his understanding of the law, he pronounced 11 of the 24 to be obscene. I suggest that is a pretty high record; it is almost 50 per cent. It is something we have to recognize is happening more and more.

A third point I would like to suggest with respect to the principle of this legislation is the escalation that invariably takes place when one is dealing with this kind of material. We all know we can very quickly become satiated at one particular level. Then we have, to use the common expression, to up the ante. It has to become just a little bit more violent. It has to become just a little bit more degrading; otherwise, the customers tend to leave. Once that level of satiation is reached, the ante has to be upped once more. There is more violence, more degradation. It goes on and on, and we have to wonder whether there is any end to it.

Is this what we are going to say? I would hope not. I would hope we are saying, "Yes, we recognize that aspect of the human condition and we are going to draw a line." We are going to say somewhere, "Enough is enough." We are not going to allow this escalation, this upping of the ante, to continue endlessly.

It is interesting to note that an organization such as the Association of Canadian Television and Radio Artists, whose membership includes actors and actresses who are involved in other kinds of entertainment, is badly split on this issue. As a matter of fact, at one time ACTRA had passed a resolution indicating its opposition to this new pornography and agreeing that some government action needed to be taken.

Then from among its own ranks there appeared a group of people who said: "Wait a minute. We

could be the victims of that legislation. Maybe we better take another look." It is my understanding they are still taking another look. Even in a group like that, we have a split. Some could conceivably consider themselves as the innocent victims of legislation that might be perceived by them as being repressive. We have some of their members saying: "Maybe it has gone too far. Maybe even we have to agree that in today's society we cannot allow this to go on endlessly. There has to be some limitation to it."

8:40 p.m.

The editor of Saturday Review, Norman Cousins, spoke and wrote about this issue. I would like to share with my colleagues one paragraph he wrote because, in many ways, it sums up what I have tried to say here this evening:

"The trouble with the kind of wide-open pornography that is rampant today is not that it corrupts, but that it desensitizes; not that it unleashes passions, but that it cripples emotions; not that it encourages a mature attitude, but that it is a reversion to infantile obsession; not that it removes the blinders, but that it distorts the view. Prowess is proclaimed, but loving denied. What we have is not liberation, but dehumanization."

That is the issue. To allow this new pornography to continue to escalate, to allow women and children to remain vulnerable and exploited, dehumanizes not only its victims but all of us. We as legislators must support this legislation.

Mr. Allen: Mr. Speaker, I rise to address my remarks and initially those of our party to Bill 82, An Act to amend the Theatres Act, which has been introduced by the minister and briefly commented upon by him this evening.

I want to make it quite clear that this party and its members, like the member who has just spoken and like the minister, deplore from the depths of their being the tide of so-called new pornography and extreme violence that inhabits so much of the media around us today. On that, none of us in this House has any disagreement.

That provides one side of the backdrop against which we are speaking tonight and out of which this bill arises. There is also another backdrop about which the minister did not speak at great length: the judgements that arose with respect to the act this bill seeks to supplant, the previous Theatres Act, and the traditions out of which those judgements came and that lie embodied now in the Charter of Rights and Freedoms of this country.

Where we stand at this time in facing this bill is precisely the point at which there is interaction between those two phenomena, both of them pressing, both of them urgent and both of them arousing very deep feelings which in many respects are extremely subtle and not easy to address.

Before launching into some more wide-ranging remarks, I want to say we will be opposing this bill. It has nothing to do with having any less concern than the minister himself with that first order of question. The issue this bill raises is not whether the new pornography is degrading with respect to women or, if applied in the same measure to men, it is not degrading in the extreme for men. That is not the issue.

The issue is, how does one best get at it? How does one best legislate with respect to it? The issue over the long run is, how does one deal with that kind of matter in such a way as not to trespass upon legitimate freedoms of expression that inevitably are difficult to disentangle from this kind of material? It is not simply the objective fact of the matter. It is not the portrayal itself. It is so often the context, the purpose, the motive. All those elements have to be weighed in the balance.

I submit that the present bill, in addressing itself more particularly to the problem of the new pornography, responds only in a mechanical sense to the recent judgements of the Divisional Court and the Court of Appeal and, more recently, the judgement of Judge Bernstein with respect to the powers of entry and seizure. By responding to those judgements only in the most mechanical way does the minister respond to the other reality which is an essential part of this debate.

In short, the bill remains essentially a bureaucratic response. It is entirely improper in the extent to which it closes off due process. It is entirely improper in the extent to which a bureaucratic process offers no recourse to the courts; it closes off judicial appeal. In those respects it may well soon find itself before the courts and may well be judged to be ultra vires and in violation of the charter itself.

In this party we would have liked to have engaged in a process initiated by the minister which would have permitted us to rethink the whole process of how one responds rather than just to take an old act, tinker with it a bit, hammer out a few sections and hammer in two or three more, and think one had done the fundamental job that had to be done with respect to this serious and perplexing issue. That is not what we have. I

regret that I stand in this House having to oppose the bill. It was initially well intentioned, but it has not been subjected to, nor is it the product of, that kind of rethinking. It is not the kind of genuinely reflective and concerned legislation which all of us in this party had hoped it would be.

There can be no doubt in any of our minds that we are being subjected to an incredible wave of pornography in all forms of media, not just film. It is regrettable in some respects that our discussion has to be related simply to theatres and to films. There is a whole host of literature and media, ranging from film to new comic books—there was an article on those in one of the weekend papers—and normal forms of print, that simply revel in exposing the bizarre, the grotesque and the torturing of the flesh, and indulging in all sorts of depictions of sexual variety for the heterosexual or the homosexual. That is not the core of the issue. Admittedly, we have to respond to that. We have to find the legislative dikes that will contain it without doing an injustice to our traditions of free expression.

8:50 p.m.

In responding to that, many of us find ourselves somewhat perplexed. I want to read a small paragraph from one of our most distinguished authors, who herself has been the subject of censorship of a local and rather prudish variety, Margaret Laurence. She says, confronted by the new pornography:

"I have a troubled feeling that I may be capable of doublethink, the ability to hold two opposing beliefs simultaneously. In the matter of censorship, doublethink seems, alas, appropriate. As a writer, my response to censorship of any kind is that I am totally opposed to it. But when I consider some of the vile material that is being peddled freely, I want to see some kind of control. I don't think I am being hypocritical. I have a sense of honest bewilderment. I have struggled with this inner problem for years, and now, with the spate of really bad video films and porn magazines flooding the market, my sense of ambiguity grows. I am certain of one thing, though. I cannot be alone in my uncertainty."

She goes on to refer to a number of issues in the debate and notes what I think we all have to affirm:

"Pornography is not in any sense life-affirming. It is a denial of life. It is a repudiation of any feelings of love and tenderness and mutual passion. It is about hurting people, mainly women, and having that brutality seen as socially acceptable, even desirable."

She goes on to comment on perhaps that most famous work that lies at the bedrock of the line of modern arguments with respect to freedom of expression and the whole issue of censorship, namely, John Milton's, *Areopagitica*, a speech for the liberty of unlicensed printing to the Parliament of England in 1644, in which these words appear:

"He that can apprehend and consider vice with all her baits and seeming pleasures, and yet abstain, and yet distinguish, and yet prefer that which is truly better, he is the true wayfaring Christian. I cannot praise a fugitive and cloistered virtue, unexercised and unbreathed, that never sallies out and sees her adversary, but slinks out of the race, where that immortal garland is to be run for, not without dust and heat."

Milton had a sense of where the issue lay. A later figure, Roger Williams, in opposing the power of the state in so many respects, had another sense of where the issue lay when he emphasized the need for integrity, for what he called soul freedom. Nothing should be permitted to trespass upon the inner growth of the quality of the soul.

What we are faced with in this issue is precisely that this inner integrity of person is being trespassed upon in two respects. It is being trespassed upon by this immense flood of vile matter, which presses upon us so heavily. At the same time it is being trespassed upon by every bureaucratic order that closes off appeal and by every refusal of judicial recourse and due process. Unfortunately, and I hate to say this, this bill in some measure, like the new pornography, trespasses upon Roger Williams's sense of soul freedom in that respect.

When we debate this issue, we have to realize that there are many forces and many agencies in our community and in our country that serve to act as dikes, as repressants with respect to new moves and new movements. We have to realize that we are not, through the Theatres Act, going to contain the whole tide; that we are not, through the Theatres Act, erecting the only barrier.

We have at our hand, and must strengthen, for example, the Criminal Code provisions in this respect. We must at the same time have resort to and strengthen the Human Rights Code in this respect so that civil as well as criminal actions can be entered. We have legislation such as the Broadcasting Act, which recently has been the subject of much discussion with respect to strengthening provisions relating to discrimination having to do with sex in order to cope with

the introduction of the kinds of film that came with the entry of pay television into Canada not so long ago.

There are such organizations as the Canadian Periodical Publishers' Association, which has its own committee, and the press, which has its own committees for examining the quality of what is purveyed through the press and through the periodicals of this country. They are alive and they are active. Whether one totally agrees with them or not, they do their job. Arnold Edinborough was telling us this morning how he viewed the recent Penthouse publication. His committee, which works as a committee of the Canadian Periodical Publishers' Association, has been looking at that issue with a view to how appropriate or how mistaken it was. Those agencies are there. They are part of our community.

Beyond that, there are all kinds of options in this society of ours for free expression: reacting, demonstrating, picketing and making it known that the community standard is not that which is represented by the films on display in the video shop or shown at a particular gallery. There are a lot of ways in which the dikes can be tended in their own way and which can add to the bulwark of support in our concern about the new pornography.

As we see this rising tide of concern, exhibited as the minister well noted by the Metropolitan Toronto Task Force on Public Violence Against Women and Children, as bodies such as that bring their force to bear upon the subject and groups such as Project P of the Metropolitan Toronto Police lay their charges, as they recently have done most vigorously, we should not forget that one does get action through the courts.

My colleague the member for Kitchener-Wilmot (Mr. Sweeney) referred to the Borins decision. He did not mention how much it has already affected the video retailers in Ontario, who now use a different measure. They now self-censor on the basis of what they heard in that court decision.

I repeat, we should not simply think in this Legislature that we are tackling that whole tide in and of itself through one little instrument, namely, the Theatres Act, because to do so is to apply standards of effectiveness to it that are totally unrealistic.

The member for Kitchener-Wilmot made reference to the fact that this party has had a long tradition with respect to civil liberties. Some of our most distinguished figures, such as Frank Scott, laid down many of the parameters in which

the whole discussion of the relationship between the state, law and civil liberties is undertaken in this country. Significant groups in our society have their freedom by virtue of the courage and outspokenness of a man such as that. We honour him when we reflect upon these issues to the best of our ability.

The tradition that has been built up and the campaigning of people such as Frank Scott and others who are not from our party resulted in the Charter of Rights and Freedoms. We have to remind ourselves constantly in this debate that the charter set out certain freedoms that were much more fundamental and important than others. The second clause of the Charter of Rights reads:

"Everyone has the following fundamental freedoms: (a) freedom of conscience and religion; (b) freedom of thought, belief, opinion and expression, including freedom of the press and other media of communication; (c) freedom of peaceful assembly; and (d) freedom of association."

The objections one might raise against certain other freedoms listed throughout this whole Charter of Rights must be much stronger in their terms than those which can be brought against that particular list of fundamental freedoms.

9 p.m.

In our tradition, freedom of expression—it used to be called freedom of speech—stands at the very bottom and base of everything that makes a democratic process possible. Without it, and without all the supporting structures that lie around it, democracy really means very little. As we move into this debate and go further into our hearings, into committee of the whole and third reading, we need to keep those considerations very central in our debate.

What has happened as a result of that charter and the fundamental nature of that particular clause is that we have had the court decisions of the last year that have affected this legislation, the old Theatres Act.

There are a number of ways in which this bill before us is a problem. I have stated in particular terms what I think the general problem is. Let me just illustrate this with reference to some elements of the bill without getting into anything like a clause-by-clause consideration.

In the first place, this bill redefines the Board of Censors as being the Ontario Film Review Board. That stands in clause (1)(1)(a). I have to say that is a very bad start because the bill goes on to outline a structure that, in any proper use of language, is a censorship board of a much more

rigorous kind than we have ever had in Ontario. To speak of it as an Ontario Film Review Board is a euphemism that is used with some deliberation to obscure the trend and tendencies of what follows.

It is something like the discussion we had with Mary Brown when we went to the censor board and looked at her clips from recent films. She tried to describe what she was trying to do in Ontario. It was not censorship. What she was doing was taking community standards, laying them over against these films and passing them or not—at least her board was passing them or not—excising them or not, based on community standards. She was sort of an impersonal force there in the middle of all this process that was going on. She tried to explain to us that it was not censorship.

If it was not censorship, what on earth was it? It could not be described as anything else but censorship. Likewise, if this Ontario Film Review Board which proposes to review and can prohibit—and not provide appeal beyond itself—film of any description in any place is not a censorship board, I do not know what it is. It is not exactly the greatest tribute to the honesty that I think motivates the minister to have used that euphemistic language.

The bill goes on to give the board power under subsection 3(5), "subject to regulations, to approve, prohibit and regulate the exhibition and distribution of film in Ontario." There is nothing in this act any more that distinguishes between public and private. The right of prohibition is finally absolute because, while there is an appeal built within the act, the appeal remains an appeal within the review board itself.

It is true there is some improvement which goes some way to meet the concerns of Judge Bernstein in the recent judgement that returned the film that was seized at A Space art gallery last spring, and it allows a much more elaborate process by which notice is given and then warrant is used with respect to the seizure of artefacts, whether projection material or film.

It does, finally, still retain subsection 3(9), which exempts the board from the application of the Statutory Powers Procedure Act. In other words, due process is not permitted. I ask again how that is possible under the new charter. That may have been the practice in the past and now it is explicit in the new act, but how does it stand under the terms and spirit of the Charter of Rights and Freedoms? I cannot see that it is a particularly harmonious relationship as best I can work my mind around that question. All this

business about going along with the need for orders and warrants for seizure and entry really is very much nullified.

Under approval of films for advertising, I see there are no criteria to be included in this act. One would have thought a bill that presumed to deal substantially with the issue at hand, and especially since it still includes such arbitrary powers and places such limits on due process and upon appeal beyond the board, should at least have had accompanying it the regulations by which we could see just how this was going to be applied. Yet they are not here. There are no criteria and, therefore, to vote for this bill is to buy a pig in a poke. One cannot say anything better of it than that.

There are other passages I could refer to that allow for an extreme amount of harassment of small galleries and petty distributors who will be exhibiting a film one or two nights and that is the end of it. That should not be permissible in Ontario.

Under the appeal process that it sets up, normally one thinks of an appeal as going to a higher body where a judgement can be made on a lower decision. What we have is the same board constituting simply another panel of much the same people, a reconstitution, in other words, of the same appeal body but certainly not an appeal to a higher court.

So it goes through the act, with remnants of arbitrariness that are disturbing, with elements of bureaucratic finality that ought not to be tolerated. Because we feel that is the overall cast of the bill, we do not see how that kind of arbitrariness will resolve the problem at hand which, as I suggested at the beginning, is a problem that results from the conjunction of the new pornography and the new spirit of the charter.

What I submit to the members is an alternative way that is at once rigorous, that provides ample opportunity for legal action that can be pursued by not just those in charge of enforcing the criminal law but also the civil law, and that allows the community to know what goes on with the minimum of suppression; inevitably, the tighter it is made, the more one has the spreading of a black market in this invidious media material.

9:10 p.m.

Our party would propose as an alternative, in addition to amending the Human Rights Code in Ontario, to prohibit the publication of material that discriminates among people by exposing to hatred any person or class of persons, not only on

account of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed and so on, but also because of sex and sexual orientation. We would add these latter two to the long list of items that would come under such hate literature or hatred action.

Second, in addition to the Criminal Code amendments that have been put forward by one of our colleagues in Ottawa and that have in some measure been followed up but not yet established in the code, we would also license those who distribute films and videotapes. There would be provision for the suspension or cancellation of a licence if a licensed company or individual is found to be in violation of the Human Rights Code, the Criminal Code or the Theatres Act in relation to any film or videotape being distributed.

We would also amend the Theatres Act, but we would do it in these respects. Of course, we would like the present act to establish a classification system based on community standards for films and videotapes.

Second, we would define in legislation those community standards to proscribe violent or sexual pornography. We would establish a public, independent, representative board to classify films and videotapes and, in consultation with applicants, with power to recommend that parts of films and videotapes that it believes violate community standards be excised.

We would permit the applicant to appeal the recommendation to an appeal panel of the classification board. Failing resolution, the applicant could reject the recommendation but be subject to a charge of violating the Theatres Act if the film or videotape is offered for public viewing, distribution or sale. Such a charge would be heard in a court of law and the judgement based on two factors: whether the film or videotape violates community standards or whether because the film or videotape is of significant social, educational, cultural or artistic merit, the board's recommendation should be set aside.

In other words, the issue ends up in the courts. One has the option of rejecting what the board recommends after an appeal process, but once in the courts the argument can take place, pro and con, in terms of all the elements that need to be considered with respect to the media item at hand.

We would, therefore, be proposing to remove the right of the board to prohibit the exhibition, distribution or sale of films or videotapes. In particular, we would make special provision for

films or videotapes that portray or promote the sexual exploitation of children to allow the board to order excisions before distribution, sale or viewing. Such orders would be appealable to the courts.

That last provision is extremely important. We would understand it would normally also be backed up by the children's legislation already before this body with respect to the legal limits of the treatment of children. We would have in mind, for example, the kind of legislation passed in Great Britain with such effect with respect to the whole question of the production of films involving children, namely, a children's protection act which in its strictness had the effect of changing dramatically, almost overnight, the media involvement of children in the production of pornographic films.

In addition to that, I am sure all of us in this Legislature would want to see a very active program of public education in this field. That does not enter into our considerations with respect to the Theatres Act either tonight or on following nights.

With a rigorous option in mind, it takes a quite different and judicial course as against an arbitrary and bureaucratic one. This party believes this bill must be rejected. It simply does not meet the test of the two concerns that lie at the heart of the matter, namely, the flood of the new pornography and the new spirit of the charter, which equally have to be taken into account.

Mr. J. M. Johnson: Mr. Speaker, I rise to speak in support of Bill 82. I do so with a great deal of concern for many of the things that have been said in the House tonight. I represent Wellington-Dufferin-Peel, a riding that is basically a rural, small-town riding, and we have some very strict moral standards, which I am afraid have been eroded in some of the communities across this province.

Just to refresh the memories of the members, we had an extremely tragic incident just a week ago when two young children, a boy of 11 and a young girl of nine, were killed. It is my understanding that there has been a solution to the crime, but that is not the issue tonight.

I am concerned that possibly some of the concerns we are expressing tonight could relate to the very crime that happened in Orangeville, and this is what bothers me. We in this Legislature are perceived to be the leaders in setting the moral standards in our society. Maybe some of the members do not think this is what we should be doing or that this is indeed what we are doing, but people look to legislators in both the

federal and provincial governments, they look to teachers, they look to ministers and they look to people who lead in society to set the tone, to set the pace of what we are doing.

It bothers me greatly when we get caught up in the human rights issue that we are depriving someone of his right to look at some material that, in his viewpoint, he might feel he should have a right to look at. I am not totally against it; I find it hard to say that we should have censorship to a degree that controls it.

At the same time, I find it extremely hard to defend the idea that someone somewhere in our society does not say there is a limit, that we can go so far and that is far enough. It bothers me that we who are supposed to be leaders are not the ones to say, "That is enough." Mary Brown, in her wisdom, has tried on numerous occasions to say this is what she and her board feel is, in essence, a limit to what society should accept. Some of us judge this and ask, "Why should she make the decision?" Someone has to, otherwise we simply throw it open and say: "It is a wild society. Let anything happen. It does not matter."

We are the ones who would reap the price, and it is our children who pay the price. I happen to be a grandfather and I have five little grandchildren. I am not sure I really care what happens to me any more. As far as our society is concerned I think I am beyond changing, and some members will agree that it happened long ago. But I do think, for the sake of my grandchildren, surely we have a right, surely we have a sense of obligation that we should set some moral standards in our society so our children and our grandchildren will not have to put up with whatever goes.

I am not the one to decide on what can or cannot happen, but I do think somewhere there has to be a mechanism, whether it is a censor board or whatever, to control the type of publications that are displayed in this province. If we fail to do that, then who in society is going to pick it up and do anything about it? We have many people who have no standards. It is unfortunate that some of them are influenced by some of the material they read and some of the scenes they see on television and in the movies.

9:20 p.m.

Here in Toronto we can well recall a few months ago when one young man went out of his mind, killed a policeman and created all kinds of havoc because apparently he was relating to a movie he had watched on numerous occasions. I am not sure there is anything we can ever do to stop that, but surely we have to have some sense

of proportion that some things are okay to accept and others are not. If we do not do this, then we are not being responsible in our positions as leaders in society.

I am caught up in this Orangeville situation because I am so close to it. I apologize to the House if I am emotional about it, but it does bother me because I have a daughter with two little children who lives in Orangeville. For a week the people in Orangeville were really concerned about whether a neighbour was the individual responsible.

In addressing Bill 82 that is before us, if there is anything we can do tonight that will help alleviate such a problem ever happening again, surely we have the sense that we have to do something about it. I am not sure if I am on the track of the bill and if I am not I apologize. I am simply saying there is a sense of moral decency that has to pervade our chamber and the churches and schools in this province.

If we do not set that standard, where is it going to come from? The member for Hamilton West (Mr. Allen) mentioned the Charter of Rights and Freedoms and I fully appreciate what he said about preserving the rights of the people under the charter. The problem is that we have to define what is fair for the one and not for the other. If to preserve the one is at the expense of the other, especially innocent children, then if we err, it has to be in the direction of the young people of this province. If we fail in that, I think we fail in our obligation to the people we are elected to represent.

I for one fully support Bill 82 and I support the presentation of the member for Kitchener-Wilmot (Mr. Sweeney). It seems to me it was only a few years ago that the former leader of that party was not totally in support of the position taken by the member tonight. I am not saying that in a negative way. I am simply saying that times have changed and I congratulate the Liberal Party and the member for Kitchener-Wilmot in supporting the minister on Bill 82. I hope other members of the House will consider giving the same support.

Mr. Reed: Mr. Speaker, the Ontario Board of Censors by any other name is a fraud and any attempt to expand its powers is an attempt to expand that fraud.

I speak tonight after a great deal of personal deliberation on this subject. I speak as a member of the Association of Canadian Television and Radio Artists, as the father of children who have all acted in film and as the husband of one who has acted in film and appeared in the print media.

I share the concerns about what has been loosely expressed as the new pornography. I share the concerns expressed by every member of this House about the exploitation of children and the sexual violence that appears in some films. One that has not been mentioned tonight is the obvious abuse of animals which takes place in the production of films.

However, I fear all the comments that are being made on this subject are being made from the third person once removed. Any suggestion that a censor board in the province can accomplish anything in the control of this kind of material is a total delusion. To pull the blinds down around this province and then pride ourselves on how good and decent we are in Ontario only aids and abets the production of this kind of material.

As I am sure the Minister of Consumer and Commercial Relations (Mr. Elgie) will agree, the answer lies with the Criminal Code of Canada and only with the Criminal Code of Canada. People much wiser than I, have said recently that what is needed to control this kind of material are laws common to all of the countries that are producing film, where the Criminal Code gets rid of the old taboos, that old sexual stimulation article we have to relate to whenever there is an obscenity charge under the Criminal Code, and includes in it specific acts and specific depictions. Only in that way will we begin to come to terms with this problem.

The censor board will never, ever do it. As a matter of fact, I would go on record as suggesting that the censor board serves only to publicize some of those films of a controversial nature and sell more tickets. That is really what the censor board does in the last analysis.

Is it not clear to the Minister of Consumer and Commercial Relations that when a film is produced abusing children or depicting sexual violence against women, the damage has already been done before that material is submitted to the censor board? How hypocritical it is for the censor board then to make cuts and say, "Okay, we will release it." What kind of hypocrisy is the minister supporting by expanding those powers? Now he wants to take it one step further.

If I thought the censor board could come to terms with this problem, I would say "Hurray" and we would all stand up and be totally supportive, but I looked into it tonight and I got a copy of the cuts that were made in 1983. One third of the cuts involved violence and two thirds of the cuts involved sex. The censor board spent

more time clipping out erect penises than it did coming to terms with the problem.

If we want to get into the subject of violence, the Texas Chainsaw Massacre went through uncut. Apocalypse Now went through uncut. I think there is the killing of a cow there with a machete or something. I have never seen the film and I would not pay five cents to go across the road and see it.

If we are going to talk about violence, let us talk about violence. Way back in 1964, the Ontario censor board allowed a film called Mondo Cane to go through uncut. I think the backs of some horses were soaked in gasoline and set on fire to get the proper effect.

On July 7, 1983, the subject took on some new significance in my own riding when I wrote to my local press my views on the subject. With the indulgence of the members, I would like to read them into the record.

"As most readers will know, my viewpoint is shaped through my own experience as a performer and the fact that all of my family at one time or another have participated in film making. One's concept tends to slant perhaps towards the production and performing end and perhaps the fairly clear recognition of the protections that have to be built in.

9:30 p.m.

"I said in 1979"—before it was politically popular, incidentally—"that the Criminal Code should become specific about those elements in production which society as a whole does not want. I said the words 'undue exploitation' only hinder what must be a clear view of what may or may not be considered unacceptable. I am not calling for a clearer definition of the word 'pornography.' The word itself defies definition. Therefore, the Criminal Code should simply state the specific offending elements.

"In my view, there are three. The first involves the exploitation of children or those depicted as children; the second involves violence, especially in a sexual context; the third involves the abuse of animals. The first and third elements are out of a concern for those living things that do not have their own ability to choose or to make a personal judgement about their participation. The second, of course, concerns the apparent acceptability of violence and mutilation in a sexual context. Recognizing these are the basic concerns which are universal, I have found it hypocritical in the extreme that we still have a censor board in Ontario that condones extreme acts of violence, either person-to-person, or through the abuse of animals, and at the same time would remove any

graphic elements of sexual activity participated in by consenting adults. Surely, as a mature society, we can all agree that graphic eroticism by itself should not be considered obscene"—nor illegal.

"I would be far more concerned about the connotations contained in a film like Pretty Baby or the violence in Apocalypse Now than a movie involving graphic sexual activity engaged in by willing adult participants.

"In a pluralistic society we cannot nor should we attempt to legislate our neighbour's concept of morality. We can, however, build in protection for those who cannot protect themselves. That is the basis upon which I make these proposals in this letter.

"Along with these specific changes in the Criminal Code, the Ontario censor board should have its mandate changed to become a classifier of film in order to rate visual material. That way, there would be no surprises at the box office and, instead of having 14 or 15 censors dealing with this material, we would have then the whole adult population of Ontario, including distributors and exhibitors, who would, for the first time, have a clear view of the rules of the game.

"Such a move would restore an element of 'freedom of choice' which we do not enjoy at the present time. We would also get rid, once and for all, of the hypocrisy employed by the Ontario censor board, that sexual contact does not involve male and female genitals and that the torture and mutilation of animals for the purpose of sensationalism is okay."

The hypocrisy that is inherent in this bill and this activity is totally unacceptable to me. If any of us here are deeply concerned about this issue and about these kinds of violations of human decency, the place to tackle them is where they can be dealt with. We should not simply put up some wall of erasure, run some of these films underground in Ontario, sell more tickets and perpetuate the nonsense we have been living with for so many years now.

Let me tell members what Norman Jewison has to say about censorship. I do not take nearly as cerebral a view of censorship as he does. I will read a part of the speech he made to the Empire Club:

"Therefore, you can appreciate, I'm sure, my position in regard to controls, restrictions, restraints, boards and codes—and censorship, that malevolent Big Brother that watches over us here in Ontario. Imagine the uproar that would be caused if the police were granted the right to prior approval of newspapers and magazines. This

basic right of free expression is the very issue at stake in film censorship. The freedom to convey the truth as he or she sees it is no less the province, the basic right and duty of a serious film maker, as it is for the newspaper reporter or novelist.

"Film censors refuse to accept the truth that films, movies, the cinema, have become the primary vehicle of creative expression for an entire generation 30 and under. Not literature, not the theatre, but film. A language even more visual than verbal, a new cinematic language. And the Ontario provincial government wants to protect your morals and manners. Just like they control my consumption of wines and spirits, they also want to censor the films I might see. I sure hope they don't set up the Ontario Birth Control Board—then all business will be closed on Sunday. Government prejudice can be dangerous. In the thirties, in the US, a man by the name of Martin Quigley and the Legion of Decency established the 'production code,' a mechanism for the censorship of movies.

"The movies obediently began to do their share to foster prudery, complacency, jingoism, sexism, racism and so on. What was the result? Unquestionably, much of the power of fantasy in America today—the expectation of instant gratification, the commitment to selfhood over all, the waning concern for reason, discipline, achievement is related to the cheap fantasy life so sedulously manufactured in Hollywood over the years. Movies were often dismissive of defenseless minorities, especially women and blacks.

"Why are young artists attracted to the hazardous, expensive process of film making to relate their ideas instead of the more traditional, more accessible modes of communication? Because for them, film is the medium which attracts and stimulates the public they want to reach—their peers. It is through the power and the force of film that they are affected and, in turn, affect others. Films speak directly to the young, whether it is fashion trends established by Flashdance or the nuclear protests encouraged by *If You Love This Planet*—a Canadian film that had the rare honour of being banned in the US by the Reagan administration."

The issue is much more than the minister makes out in his statement in the Legislature. He says the issue is not one of the film and video pornographers' right to exploit the market by producing and selling anything he likes, but rather the right of the community to protect itself from the effects of his work.

Let me tell the minister something. The challenge here goes well beyond this little, narrow bit of tunnel vision he has concocted. Let us understand that. Any kind of legislation the minister brings in Ontario to legislate our morality or to protect us from ourselves will not come to terms with the problem he decries so vociferously and that everyone in this House, including me, decries so vociferously.

I want to come to terms with this problem. I do not want the blinds pulled down around Ontario. I do not want us insulated and then be able to look in the mirror and say, "Oh, how good and righteous we are here." We are not at all. We are aiding and abetting those people who would continue to exploit. I do not know if the minister understands that.

I realize that this is a very political move because the minister will be seen to have tried to do something. That is the sum total of its effect. The sum positive total will be some political reaction on the part of the few. If we are going to decide that this kind of approach to this problem is going to solve it, we are in big trouble indeed.

I think the minister will agree, and I agree and everyone in this Legislature agrees, that the only solution lies with the Criminal Code and with serious amendments to the Criminal Code, the abandonment of some elements and the incorporation of others. That is the only way we will ever come to terms with this problem.

9:40 p.m.

Until we do, the new Ontario Board of Censors, which will be called the Ontario Film Review Board, to talk about compounding a felony, will go along making the kinds of cuts that were made in 1983; it will go along taking what are sometimes very horrible kinds of obscene material and making cuts but then allow the balance to be shown in a public movie theatre or wherever. Is that what the minister wants for his children? It is not what I want for mine. I want this matter dealt with and looked after once and for all.

I can never support this legislation. I realize I am at odds with members of my party on this. I am going to be the odd man out, but I am going to oppose this legislation with all my heart because I believe the government is perpetuating a fraud.

Mr. Rae: Mr. Speaker, I want to congratulate the member for Halton-Burlington for his very courageous remarks.

Hon. Mr. Norton: No, it is just that he likes hobnailed boots.

The Acting Speaker (Mr. Robinson): Order.

Mr. Rae: The Minister of Health made a remark that I will not dignify by responding to it and getting it on the record. Frankly, it typifies the very real double standard that is at work in society and, if I may say so, in the ranks of the governing party at the moment with respect to this problem.

I want to outline some arguments that I have gone through personally and that I know many other members have gone through in dealing with this very difficult question. I start from a gut attitude and a gut response that I suppose I would characterize as anticensorship, in the sense of and out of the tradition that has been spoken to very eloquently by the member for Halton-Burlington.

He speaks as somebody who has been in show business. I guess I can say I was nurtured in a show business family and I know something about the very strong feelings about censorship on the part of the people who have worked on the stage, in the film industry and in the entertainment field for many years. They feel the way in which censorship has worked has been hypocritical, to describe it in the politest term; it has been one where allegedly moral standards have been forced on other people and where double standards have been at work all the time.

I also come from another tradition, and I suppose it is the classically liberal one, which simply says government does not have the right to use, and in fact should not use, a clumsy weapon of any kind to legislate morality that is essentially private, whether or not it is a morality we share. That tradition also says freedom of expression, the right to speak out, the right to express oneself in the world, not only is something that is now constitutionally protected by the Charter of Rights but also reflects perhaps one of the most profound values in liberal society as it has been defined in many different countries in the western world in the past 200 or 300 years.

That is my gut reaction. I think, as we all do, of the classic arguments, one of which was quoted by my colleague the member for Hamilton West (Mr. Allen), the argument put forward by Milton in *Areopagitica* and the argument put forward by Mill in *On Liberty*, an argument that I think has a lot of merit to it. That argument has a very substantive philosophical and practical value to it and it is one I want to put forward.

I put it forward not because I now endorse it 100 per cent—I think there are some problems with it, and I am going to deal with those in closing my remarks—but because I think it is important for us to remember the value of that

tradition and why it is that when we interfere with people's freedom, we should do it in a way that is careful, focused and very clear.

Frankly, I do not think this legislation meets those tests. This is why our party opposes this legislation, why we will be voting against this bill and why I urge other members to think twice before they pass this legislation in its current form.

Mill puts forward the argument for not interfering, and I suppose it finds its classic expression in his famous essay *On Liberty*. Basically, there are two or three reasons he puts forward, but a couple of the most important ones, as they affect this question of law and morality, have to do with the simple reason that there are many avenues to the truth, and that if you restrict someone's right to express an opinion you may make the finding of the truth more difficult.

The second, and it seems to me this is dead on in this argument, is that one's private morality, and indeed sexual morality, is essentially a private matter. While we may object, as people have objected morally for many years to homosexuality—our civilization has been opposed to and rejected homosexuality—the basic thrust of law reform in the past 20 years, and certainly one I agree with, is that essentially what goes on between consenting adults is nobody else's business. As long as people are people, that is a reality we should respect.

We pay an enormous price in terms of human suffering, the twisting of the human spirit and the repression of people as they are in all their diversity by attempting to impose a sexual morality of a particular kind on society by means of the law, the police, the Criminal Code or whatever it may be.

Earlier on I referred to the fact that this is a very important tradition in law. For example, if one reads the Wolfenden report in England, which I know has had an influence on the minister with respect to the Ontario Human Rights Code and the impact on sexual morality, it makes a very profound statement. It says one has to recognize that what is an area of private morality is not something that should be interfered with.

I suppose the classic expression was put forward by Mr. Trudeau in 1967 when he said the law has no place in the bedrooms of the nation. He was expressing a very important value and one we lose sight of in our quest of attempting to impose, however well intentioned, a morality of a sexual kind on the whole of society.

I want to suggest that as a civilization and a culture we are now faced with a very different, new and difficult situation that I do not think was ever imagined by John Milton in his darkest, most wild moments, and was certainly never imagined by John Stuart Mill, I suspect, in any of his.

The growth of the film medium has changed our culture dramatically, as has the growth of television. People now spend hours on end watching television. I think the average viewing time is about 24 or 25 hours a week and is growing all the time. If one looks at the kind of programming that is going on, it is clearly not intended to arouse tremendous intellectual debate amongst the population; that does not appear to be what people want or what the market out there is all about. It is one which is essentially designed to entertain and to titillate.

I want to mention—and it has been referred to by many other speakers, including the minister, the member for Kitchener-Wilmot (Mr. Sweeney), the member for Wellington-Dufferin-Peel (Mr. J. M. Johnson) and my colleague the member for Hamilton West—the growth of a new kind of film. I do not know that it is uniquely new. I understand there have been underground movies of this kind for some time, but it has certainly now become commercially more respectable.

9:50 p.m.

The films I refer to have as their function not simply the explicit portrayal of sex, which I am going to come to in a moment, which I do not object to personally on the screen and about which I do not think the censor board should be spending as much time as they are worrying; these films systematically degrade sexual relations between people, exploit children and their sexuality and their sense of who they are, exploit violence and very frequently can be portrayed as linking violence with sex.

For example, there are films that portray rape as something that is a normal occurrence and simply an expression of aggressive behaviour on the part of men; films that portray rape essentially as something women enjoy; films that systematically portray women in a degrading position in a sexual sense and graphically take advantage of what can only be described as a dramatic loosening of our sensitivity towards what is being shown on the screen.

I come back to the classic position I have always held, which is that as long as something does not do harm to anybody, basically the heavy hand of the law should not be used to try to stamp

it out. I am now confronted with a new situation in which I am no longer sure the classic liberal argument that this material is not harmful is true.

When I was a kid, we grew up reading *Playboy* magazine. I am sure every older male in this audience will identify with that. We read the philosophy put forward by Hugh Hefner: that it was very healthy and normal; a portrayal of sexuality that was great. Anybody who was opposed to the portrayal of sexuality was some kind of prude.

It is only as one gets a little older that one begins to reflect on that stuff and to wonder about the view of sex as portrayed in that magazine, which has become such an important part of our culture and which sets such an important tone for other magazines that have now followed and are much more brutal and much tougher in their view of sex and in what they show and are allowed to show. Frankly, I think the view that violent pornography or pornography of some kind does not cause harm is a view that cannot be realistically sustained.

I happen to believe our culture is desensitized and we have the creation of what I would call a commercially pornographic culture that is growing in size. The number of pornographic magazines and the market for them have exploded in the past 10 years. As a society, we have to respond to that problem. We cannot ignore it. We cannot say this is an area of private morality and anybody who is concerned about it is some kind of prude. I do not believe that.

However—it seems to me this is what the member for Hamilton West was saying, and it is an important truth—in our desire and our urge to do something about it, let us not repeat the mistakes of previous generations; let us not make the same old-fashioned mistakes that have been made in the past.

If we are going to deal with the problem of the new pornography, or whatever one wants to call it, let us not pretend—and the member for Halton-Burlington (Mr. J. A. Reed) said it very well—that this legislation is going to do anything to affect it in the slightest.

I see Mary Brown is here. One of the first phone calls I got after I became leader was from the chairman of the Ontario Board of Censors. I am always going to call it the censor board. The name can be changed, but the reality of what it is doing cannot be changed. This is 1984. We call something a film review board and pretend it is not censoring films. It is still censoring films. Why do we not still call it the censor board? That is what it is doing.

I went to the censor board and talked to Mrs. Brown. She showed me some of the films they were concerned about. She showed me the out-takes that were illegal under the Criminal Code and we had a discussion. I was as baffled by it as I am sure everybody is who is faced with this material in deciding where to draw the line. What is shown and what is not shown? What is fair to show and what is not fair to show? What does one take out and what does one leave in?

My concern, and it has been expressed well by the member for Halton-Burlington, is first of all that the Criminal Code has to be reformed. The current standard does not make any sense. The current standard is based on sexual relations between people, on anything that excites sexual arousal, on the idea of sexual stimulation. It focuses almost exclusively on that. It does not focus on the problem of violence, on the problem of degradation, on what it is that is being shown that is offensive and wrong. I think that is a carryover from another age.

The first point we are making, and I think it is an important point, is that if the government is going to deal with this stuff, it is going to have to do several things. Several countries have to get together. The government has to deal with the trade in this material. It has to deal with it coming across the border and going through the mail from British Columbia to Ontario. It has to deal with a whole bunch of problems this legislation does not touch.

This bill solves a political problem for the government, but that is another question. It solves the political problem of society being offended by this amount of material and saying the government has to do something. The government says: "Okay, we will do something. We will broaden the power of the censor board to include video, and we will deal with some of the legal problems we have had because of the Court of Appeal and so on. We are going to change the name from the censor board to the film review board." That is not an adequate response.

The second thing we have argued needs to be done, and my colleague the member for Hamilton West has described it, is a change in the Human Rights Code. For example, the women of this province should have the right to take Penthouse magazine to court as hate literature. Mr. Fauteux of the Ontario English Catholic Teachers' Association sent me the latest issue, and it is hate literature. If the person in bondage were a Jew or a black man, that literature would not have been tolerated in this province for five

seconds. But because it is a woman, it is accepted by a certain number of people.

One talks about freedom of expression. I come back to this basic point. We have to ask ourselves this question: would this literature be acceptable? This is the test we have to apply when looking at this violently pornographic material. It is the same test we would apply if we were thinking of any minority group in this province. Perhaps it is the only way men are going to become sensitive to this issue.

If we asked ourselves whether in a matriarchal society we would like ourselves to be portrayed in that way without having any recourse in the courts, a tribunal or anywhere else, I suspect we would not stand for that for 15 seconds. I think that is something we have to deal with. I say, with all due respect to the minister, I do not think this legislation does that. We must respond as a society, not in a prurient or prudish way, by expressing our revulsion for this expression of violence.

I go back to the analogy I made to hate literature. When we in this province, along with the federal government, expressed an opinion on the question of hate literature, we were limiting freedom of expression. Let us be under no illusions about that. We were saying something about freedom of expression; but I wonder whether we were saying anything different from what the common law of England has said since medieval times. That is, one cannot go running around telling lies about people; one cannot go around defaming people. We gave a protection to the ordinary citizen. If somebody says something about someone that is false, that person can be sued. That is the law of defamation, the law of libel and slander.

10 p.m.

For me, the analogy is clear. One cannot go around portraying people in situations that are completely untrue. The suggestion, for example, that women enjoy being put in that kind of position, that it is something people enjoy having done to them, is a lie. That is the argument we are going to have to use in responding to those people. I think they are well-intentioned people, but I think they are fundamentally misguided.

I do not want to attribute views to anybody, but I suppose we can describe it as the classic liberal view, the view of Mr. Borovoy and others with whom I have had this argument who say: "No. You cannot get into the business of censoring of any kind. There can be no limits at all, either in the Criminal Code or in the board of censors or a law of defamation or libel or slander. Everything

has to go because once you interfere with anything, you are starting yourself down the rocky road that has no end."

I do not agree with that view. That is a view that may have influenced many of us a little while ago, but certainly it is not my view today. It is not my view today because I think the amount and volume of material and the way in which it portrays men and women is untrue and it represents in the most profound sense the corruption of our culture.

The member for Wellington-Dufferin-Peel spoke very eloquently. I do not happen to agree with him that this legislation deals with the problem, but I agree with him in the sense of what he is saying and in the sense that there are some moral values that we want to pass on to our children. We could laugh about it perhaps in some moment, but we would all be really horrified if our children forever lost the sense of innocence or if our children grew up being afraid by constantly being bombarded with this pornographic message which, in a soft or hard form, is coming across at us in many of our different media.

Just on this subject for a moment, I am fascinated that if one watches television for a whole evening how much of that evening is based on soft porn. I predict, and I say this with all respect to everybody here, that porn is going to become a little harder year after year. If we watch what is on the screen, it is going to become harder year after year and slowly we will become inured to this. This will be just something we accept coming into our homes for 24, 26 or 28 hours a week.

Frankly, to me it is a baffling thing. I do not think there are any easy answers to it, but I do not think the answer is a censor board such as has been established by this legislation which, in my judgement, in a sense almost licenses the pornographer. What baffles me is that the board of censors today makes a distinction. They say: "We are going to cut out that beheading scene for 10 seconds. There is a picture of an erect penis there, so we will cut that out. There is a picture of penetration there, we will cut that out. There is a scene of bestiality here, we will cut out the last two screens of that because it is offensive." The rest of the film stands and one can see it in a restricted film theatre in Toronto.

What have we accomplished? Have we dealt with the problem? Have we morally improved ourselves? Who are we trying to kid? Frankly, what kind of hypocrisy is this, when we say, "That much blood is acceptable, but we are not

going to allow that next drop of blood, it is unacceptable"?

I cannot make those fine distinctions, and I frankly have profound difficulty even trying to make them. I would much rather have us say: "It is going to cost you \$20 or \$25 to go to a pornographic movie in Ontario and we are going to use that money to pay for the kind of education that we are all going to have to go through in order to deal with the stuff that is becoming much more pervasive."

Frankly, I would much rather, as I said, see us strengthen the Criminal Code and strengthen the Human Rights Code than be hypocritical about it. This is the last thing we are suggesting and I think it is good advice, I think it has to be done. I guess this is where I part company with the member for Halton-Burlington. I think there is a role for the board of censors and I think it should be called a censor board, I do not think we should be playing any games. As long as it is censoring, that is what it should be called. When it gets to the business of classification we will call it the classification board, but as long as it is censoring let us call it the censor board.

What we are suggesting in our alternative proposal is that the due process provisions of the Charter of Rights and the requirement of due process which has caused so much concern to the courts with the current Ontario Board of Censors, that argument has to be met. I know the government of Ontario would like to pretend there is not a Supreme Court of Ontario out there, there is not a Court of Appeal and there is not a Supreme Court of Canada, but they are there.

The record of the government of Ontario in the Supreme Court has not been great so far. The record of the minister with respect to this legislation has not been very good.

We can have a look at what Judge Bernstein said when he was talking about the government's actions in the seizure of the two British videotapes from Toronto's A Space art gallery. The A Space decision is a very strong criticism of the board and a very strong criticism of the actions of the government of this province.

It would be a very real mistake if this government did not listen carefully to what these judges are saying. The member for Kitchener-Wilmot mentioned the decision of Judge Borins. Judge Borins's sense of the difference between violent pornography and material that is sexually robust and sexually explicit but acceptable under community standards is a very different differentiation, or drawing of lines, than has been drawn by the Ontario Board of Censors. Judge Borins

allowed material that the censor board would have cut, it would not have allowed it. I think it is important for us to know that.

We are suggesting—it has been outlined very effectively by the member for Hamilton West, but I want to go through it one more time—there should be standards laid out in the legislation. The community standards should parallel the new definition in the Criminal Code with respect to what is unacceptable about violent pornography.

I tried to outline to the minister some of the criteria we would establish. It is material that is akin to hate literature. It is material that continually relates sexuality with violence and that degrades men, women and children who are involved in these films.

We are suggesting a process which makes a lot of sense. The censor board would say to the film maker: "Look, we think this film is unacceptable and we think these are things that need to be done to this film before it can ever be shown. We think if you show this film, you will be charged under the Theatres Act."

Then the film maker can say: "To hell with you, I think it is a great film. It is my quest for the truth and I am going to go for it." If that film maker goes for it, there is then a case heard by the courts. The minister may ask, "What is the difference between having something heard by a court and something heard by a censor board?"

All I would say is I would rather have these things decided in a place where we know there is a degree of due process, where we know there is going to be a balancing act performed by the judge, which admittedly is difficult. It is always going to be invidious, hard, questionable, and there are always going to be challenges to it, but at least it is a process that has a genuine appeal mechanism and due process built in. It has a sense of having to find a balance.

I think the amendments the minister has made to the current censor board are more cosmetic than real. Saying we are going to have a new panel of the same board really belies what we all know about the way in which the socialization of human beings works. The censor board gets together all the time; the members are sharing standards and views all the time. They are going through stuff all the time, the way the Ontario Labour Relations Board does—we all know that is what the labour board does, just as any administrative board does.

If I was a film maker with a message, trying to say something a little different, and the censor board did not like it and then I went before

another panel, I would not feel that was a genuine appeal or a genuine reconsideration. I would far rather the person had a right to go to court and a right to appeal that court decision.

I want to be quite blunt about it. I do not think I would feel this way and I do not think our party would be as determined as it is to oppose this legislation were it not for the fact the censor board has failed—it was put very graphically by the member for Halton-Burlington; I will not try to imitate his language—has failed to make this distinction between sexual explicitness and the new pornography.

10:10 p.m.

I must confess what I find bewildering is we are constantly reading of decisions with respect to the recent film festival that was held here. There were dissident films from all over the world, and so on. There were several films that were being held up and there was a description of them in the entertainment section of the Toronto Star. The objection to every one of the movies was not that they were violent or excessive in terms of children, but that they were too explicit sexually.

I see Mrs. Brown shaking her head. If I am wrong, we can deal with this in committee and I will be glad to talk about it with her.

It seems to me that is the problem; it is certainly the image of the board in my mind because of some recent decisions it has taken. That is the problem I have in continuing to give carte blanche to the censor board. I am no longer prepared to do that.

At the same time I want to make it very clear, and I have spoken tonight as leader of the party because I want to make it very clear, that I do not think those who have taken the classic liberal position, in the small-l sense, on censorship and the importance of protecting individual freedoms have come to terms with the new pornography. I think either they are unaware of what it is or they are putting their heads in the sand and pretending it is not there.

I also think if they are really concerned about it they should not use a fly swatter to deal with a problem that is simply enormous in its impact. I think we have to deal with it through the Criminal Code and through the Human Rights Code. I think we have to deal with it through a genuinely reformed film classification board and a Theatres Act that is genuinely reformed.

Finally, and this is my last point, we have to deal with it through education. This is an area in which I am basically addressing, with one exception here tonight, an audience of men in the

assembly itself. I think a lot of us are going to have to go back to school in terms of what is offensive. What is upsetting so many women active in the women's movement and women in general, that many of us have not found offensive?

When I say "back to school," we are simply going to have to rethink and deal with it. I think government has to be much tougher. Government is starting to do some useful work in terms of child abuse and is trying to do some useful work in terms of educating people about family violence and so on. I think we are going to have to do the same thing about violent pornography.

I think we are going to have to get much more aggressive about showing the material that is there and saying, "This is why showing somebody in a concentration camp enjoying being raped by four SS officers is offensive." We also have to show why we are in a process of genuine dehumanization if kids think it is funny or acceptable, or if our society becomes totally insensitive to this.

I guess I am wrestling as all the members of our caucus are wrestling. What do we do about it? I say this as someone who has a sense we all have to be sensitive to the point of view of artistic freedom. Let me be quite blunt about it. I do not think when John Stuart Mill was writing *On Liberty* he ever imagined snuff movies. I do not think that when John Milton was writing *Areopagitica*, he could have ever imagined the kind of hateful crap about people that is sold in magazines, across counters and underneath counters, all across North America.

It is a problem we cannot ignore. To be quite blunt about it, it would be very convenient if all of us got on the bandwagon and said: "This is the wave of the future. Let us all jump on board, give three cheers for the censor board and get tough and so on." I suppose in a sense that is the direction in which the polls are going.

I think the polls also show we all have to have a healthy respect for diversity, for pluralism, for moral diversity, moral pluralism and for a recognition that learning to express one's sexuality in the world is not an evil thing. We as a society are going to have to wrestle with this problem of finding a new balance between private morality that does no one harm, that harms nobody, and this emergence of a violent subculture that we have to deal with, reckon with and find a way of opposing it—I will say it as strongly as that—opposing it with the democratic, lawful, legal sense of outrage I think all of us feel when faced with this kind of material.

In closing, I have enjoyed listening to this debate. I think it shows a sense of attention that all of us, if we are honest about it, feel when dealing with this subject. It is not an easy subject to deal with. We will be opposing the legislation, not in the sense of any great moral outrage or moral certainty, because I do not feel as much moral certainty on this issue as I did when I was 18 and knew all the answers. But I certainly do feel now that it is still worth opposing this bill for the reasons we have expressed. We welcome the member for Halton-Burlington joining us in this opposition. If he wants to move his chair down over here, he is more than welcome any time.

We are opposed to this bill. We will be asking some questions about it. I know we are going to have some more speakers tonight, and I know we are going to have some questions about this legislation for the minister in committee.

Mr. McGuigan: Mr. Speaker, I rise to take part in this very important debate. I want to congratulate all members who have spoken on it, regardless of their points of view, for the many views they have brought forth. Each one of them is valid and each one of them was put forth with a great depth of feeling. I speak especially of my colleague who has had the experience of being in the business of acting and who speaks from the viewpoint of a participant, not from that of a viewer. I guess I have to speak as a viewer.

I agree with a great many of the things said by way of the criticism that this is not the total answer; that we need changes to the Criminal Code; that we need changes, perhaps, in international agreements; that we need agreements with the United States, since that is the country where most of this material comes from, as well as Hong Kong. Those are the great sources of this material.

I want to pause to interject something that other members have not brought up while talking about the sensitivity of all these matters, the matter of freedom of speech and so on. No one has mentioned that most of this is made for one purpose: to make money. It is not meant to express a great depth of human feeling, great new ideas that we are testing on society, new heights of expression. It is not done for those reasons; it is done just to make money.

In the United States it is done largely by the Mafia organizations. It is done by the controllers of organized crime, by people who make billions of dollars and for no other reason.

If they were doing it to express some new heights of human thought, to test the parameters of our vision or our intellect and to stimulate us to

new ideas, even to challenge our concept of God or religion or our concepts of literature and art, I think I could agree with some of the comments that have been made. But they are doing it for just one reason: to make barrels and barrels of money in one of the most profitable businesses in this world. A little bit of junk, unknown actresses, animals and whatever and they have billions and billions of dollars at hand.

10:20 p.m.

I recall one of the people who tested the Criminal Code back in 1980. I brought to the attention of the Attorney General a particular movie I had seen. It was called *Prime Cut*. It was made quite a long time ago, back about 1971. Lee Marvin was the actor. I was quite intrigued by that movie. Perhaps some of the members remember that it started out in a stockyard. As a farmer, I had thought, "This is going to be interesting because they are going to show the public where the food supply comes from and how a stockyard works."

It started out showing men walking through a stockyard with various pens where one would expect to find hogs, cattle, sheep, goats or some other animals, and they had women in them. Drugged women were being auctioned off in this cattle stockyard.

Mr. Wiseman: Was Jack the auctioneer? Did he do that?

Mr. McGuigan: My friend the auctioneer here would never stoop to selling that kind of goods, or selling out a farmer or doing anything that was in any respect against humanity.

That movie was against humanity. The theme of it was gang warfare, prostitution and selling women. As obscene as selling those women was, the most obscene thing was they got rid of the victims in their crime war by shoving them in the sausage machine. This was not a grade X, Y or Z movie; it was made by one of the stars of the day, Lee Marvin. They put the sausages on the market and people ate them. That was back in 1971. What we see today has no resemblance to what we saw in 1971.

As a farmer, one of the interesting things was that it ended with a grain combine, a machine we harvest grain with, chasing a man in a car around a field. Finally, the man in the car was cornered and he took his revolver and shot the driver of the combine right between the eyes and killed him, but the combine kept running. I do not know whether it was a Massey-Ferguson or what sort of combine it was, but it ingested the car and it threw it out the back end all baled up. They had a

machine that was not only a combine but also a baler. So much for the funny part of it.

I asked the Attorney General to have the police view that film because it was, to my mind, an obscene film. I will say to the credit of the Attorney General that he did not make a joke of it. He took it seriously. He sent his police officers to London, Ontario. They saw the film and came back and said, "We cannot do anything because it is not explicit enough."

Many members have mentioned this matter of what is explicit. Is it penetration? What is explicit? When they were selling the women, one saw the women in the shadow when they picked them up naked out of the cattle pens. If one did not get a clear, frontal view of those women, it meant it was not explicit. The thing that was explicit in my mind was the idea. The idea that one would be selling women was the explicit thing, not whether one saw every private part of their bodies. The explicit thing to my mind was the action that was going on.

The members have talked about the question of what we are talking about here. Are we talking about sexuality? I guess in the past we have been talking about sexuality. We are sort of coming from the springboard of the Victorian age. I remember reading about one of the excesses of Victorian times. They had big, massive legs on their pianos and lest someone be excited by looking at those wooden legs, they put pantaloons on them. That is a fact. Members can read it in the books about those times. Pantaloons on the legs of the piano. Can one imagine anything less erotic?

Mr. Martel: Is the member not turned on by a piano leg?

Mr. McGuigan: Not by a wooden one.

Coming off the springboard of Victorian times, we have been obsessed with sexual openness. I think most of us in this chamber tonight agree we are better off today with a lot more open view of our sexuality and our humanity, the things that make us tick. I think we all agree on that. I do not think there is any argument on those matters.

But when we use that sexuality to dehumanize people, to destroy them as the image of God—and I use "God" regardless of what religion one belongs to, whether it is the Judaeo-Christian religious base or any other recognized feeling we have for our spirituality, as something higher and more noble than just our human flesh—we are flying in the face of those ideas of spirituality that a person is more than just a few molecules of

various chemicals from the earth and water. We have an inner value and worth.

I was looking around the galleries this evening to draw a bit of inspiration. Unfortunately, there are not many people in them now. But as I looked, I saw a group of black faces, white faces, young faces, old faces and intermediate faces. On every face, there is a picture of humanity, an expression of worth. There is a great deal more there than just a lump of meat, which these pornographers try to treat us as. I say that advisedly; they treat men, women, children and animals as pieces of meat.

I do not want to spend a lot of time on that aspect of it. Some of us here have seen some of these violent movies. We have seen the cutouts.

We have seen the National Film Board's Not a Love Story. At least, I hope we have seen it. I sense many of us here are talking about the things we saw when we were teenagers. So many of us think of the pornography, or art or lack of art, of a few years back. But as the member for Kitchener-Wilmot expressed so well, today we are talking about a new pornography.

I wish to go on further with this and I am sure other members would too, so at this time I will move to adjourn the debate.

On motion by Mr. McGuigan, the debate was adjourned.

The House adjourned at 10:30 p.m.

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Thursday, November 15, 1984

Afternoon Sitting

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LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday, November 15, 1984

The House met at 2 p.m.

Prayers.

TRIBUTE TO THE HONOURABLE JAMES C. McRUER

Mr. Speaker: Before proceeding with the business of the House, I would ask all members of the assembly to join me in recognizing and welcoming in the Speaker's gallery a distinguished jurist and a great Canadian who laid the foundation for civil rights in Ontario, the Honourable James C. McRuer.

Mr. McRuer has presented to the Legislature today the tray which was presented to him by the lawyer members of the Ontario Legislature in 1970. Some of the members of the class of 1970, as well as his family, are here with him.

Mr. Nixon: Mr. Speaker, I want to say a word or two about the presence of Mr. McRuer in the House today, particularly since his record of service in this community has been so useful and extensive.

I would be less than fair if I did not point out that the McRuer farm is still in operation, by coincidence in the constituency of Brant-Oxford-Norfolk. I believe Mr. McRuer's brother is still one of the principal farmers, and his grand nephew is certainly a highly respected member of the farm community in the broadest sense in that area.

I think it is also fair to note that before Mr. McRuer ascended the bench and his views lost any partisan colour, he was a very active campaigner on behalf of the Liberal Party, particularly on behalf of the greatest Liberal of them all, Mitchell F. Hepburn.

I do not want to misrepresent the former Chief Justice's position in this regard. As we know, political purity, if not virginity, is restored by order in council when people ascend the bench, go to the Ontario Municipal Board or do anything like that.

I also recall one of his greatest works on civil rights, which he undertook at the behest, I believe, of the regime of John Robarts, the late Premier. The views and decisions expressed in it are still very much the cornerstone of legislation and opinions expressed in this House and in this jurisdiction.

I know of no other individual whose service as a lawyer, as a judge, as a jurist and as a man who involved himself in the most healthy and active way in all the important matters of the community makes a better example to those of us in public life than Jim McRuer's. Naturally, we are very honoured to be sitting in his presence today.

Mr. Rae: Mr. Speaker, it was 10 years ago, as a law student at the University of Toronto, that I first made the acquaintance of Mr. McRuer. He was at that time a visiting lecturer at the university and as active and vital a member of the faculty in 1974 as any other.

We are today in the presence of much of the history of the 20th century in this province. Mr. McRuer's career has stretched right across the course of the 20th century. It is one of extraordinary distinction in public service. He had a distinguished career as a great lawyer and a great advocate in the middle years of this century. He went on to become Chief Justice of the Supreme Court of Ontario.

He then went on to write what I think is without question the document that has done more to transform and civilize administrative law in Ontario than any other. If there is one person who can be said to be responsible for giving the citizens of this province some rights when taking on a state that has become extremely large, a government that has become extremely bureaucratic and a set of agencies and regulatory boards that, before the McRuer commission, had powers that went well beyond those that would be acceptable to most of us in a modern democratic state, it is James McRuer.

We also salute him as the last real Liberal in Ontario and we congratulate him, naturally, on that part of his career. It was a very long time ago that he was active in that area, at the heyday of the Liberal Party in Ontario, but in that historic sense we certainly want to welcome him in the Legislature today. I am sure all members from all sides will appreciate the incredible impact the McRuer commission had on all aspects of life in this province and will welcome him as well.

If citizens who are affected by every single act of government have rights today, it is because of what James McRuer did in his report and because of what this Legislature did in reforming the

basic structure of law in this province with respect to administration and the rights of the individual citizen.

My colleague the member for Lake Nipigon (Mr. Stokes) has quite rightly pointed out that if future generations want to have a look at the comments the then Premier made on the McRuer report they are available in the Legislature, they are kept on view in the Legislature. Together with the tray Mr. McRuer presented to the Legislature today, I know they will be a fitting symbol and a tribute to the life—an extraordinary, wonderful, vivid life—of one of the greatest citizens this province has ever known.

Hon. G. W. Taylor: Mr. Speaker, on behalf of the government and as a member of the Justice policy field for the government and the executive council, let me echo the words of my two colleagues opposite in regard to Mr. McRuer and add to them my own very brief comments. One uses the words, although they may seem trite at times, “a legend in his own time,” and these are words that apply so vividly to this gentleman.

2:10 p.m.

As a young lawyer starting out in the practice of law, I found his cases were paramount and set precedents in many of our decisions. Then later on he performed all those other public service ventures that he did in regard to the McRuer commission, which have so moulded our laws, our views and our ideals in this province in so many fields. I am sure many of the members of this Legislature have from time to time, and probably very often, used his material in supporting and arguing their positions. They have led our legislative forums and blazed a path for us here.

With admiration I note his exemplary efforts in all fields of law. This legislative chamber has taken his great words and applied them many times. Having heard the member for Brant-Oxford-Norfolk (Mr. Nixon) pay such homage to a lawyer and a jurist, I think it is too bad Mr. Justice McRuer was not here on other occasions when that gentleman was vying for his Queen's Counsel designation. It must be that today the member did find those Liberal roots and was so happy to extol the virtues of this great man.

All jests aside, we have with us a man who will live on with what he has put before us for many great years in the future.

AGRICULTURAL AWARD

Mr. McGuigan: Mr. Speaker, I would like to draw to the attention of the House that a resident of my riding, David Lugtigheid, a 14-year-old

lad, has won the world's soybean championship at the Royal Winter Fair. He is the son of Peter and Joan Lugtigheid and the grandson of Mr. and Mrs. Peter Lugtigheid, who came from Holland in the 1920s. The family has made a great contribution to the agricultural and social life of Kent county and all of southwestern Ontario.

RELEASE OF INFORMATION

Mr. Rae: Mr. Speaker, I rise on a question of privilege. It concerns a series of rather bizarre incidents which I want to summarize very quickly. It relates to remarks that were alleged to have been made in the Northern Daily News, the Kirkland Lake newspaper, by the member for Timiskaming (Mr. Havrot). The story says:

“Education Minister Bette Stephenson told her caucus a negotiator for striking college teachers spat in the face of a college negotiator during negotiations between the two groups, Ed Havrot has revealed.

“Caucus member Ed Havrot, PC-Timiskaming, said yesterday Stephenson made the revelation during a caucus meeting last Tuesday.”

I raised this question in my speech in the House last week, and it was raised again by my colleague the member for Nickel Belt (Mr. Laughren) in the same debate. The minister said this: “In response to a point of the member for Nickel Belt, which has nothing to do with the principle of the bill, whatever was reported in the newspaper, which I heard about, I did not say.” Those are the words of the minister last Friday.

The same newspaper, the Northern Daily News, on November 12, 1984, had a story entitled “Havrot Demands Answers” by Margaret Montrose of the Northern Daily News. The story says:

“An angry Ed Havrot wants a few questions answered.

“The Timiskaming MPP wants to know why Minister of Education Bette Stephenson's office is denying any knowledge of an incident in which a union negotiator representing college teachers allegedly spat on a Council of Regents negotiator.

“Havrot, who told the Northern Daily News about the incident after Stephenson recounted the information in a caucus meeting last week, is now wondering what's going on.

“Stephenson's office denied having any information about the issue when inquiries were made last week.

“‘In all the years I've been involved in politics, I have never misled anyone,’ said Havrot.

"He said he suspects Stephenson might have been misled about the incident, and now her staff is trying to cover up.

"Like Havrot, Stephenson was relying on information passed on to her, and that information may have been incorrect. However, Havrot said, that's no reason for her office to deny any knowledge of it.

"Another possibility is that both sides in the disagreement are 'covering their a....,' Havrot said."

Apparently, that is how the member for Timiskaming speaks when he is in his riding. I do not know. He certainly is not like that when he is here.

"He likened the situation to two children fighting, and when asked what happened, they reply 'nothing,' yet they are beating the hell out of each other.

"Havrot said he hasn't talked with Stephenson since her office made statements last week, but he intends to, and he added he'll 'give her assistant a piece of my mind.'

"As of today, Havrot has not heard anything from the Ontario Public Service Employees Union about the incident. He said he'll be meeting with local union representatives to discuss the strike later."

I am raising this as a question of privilege. I repeated the entire incident to the Minister of Education (Miss Stephenson), quoting it to her from the newspaper and she denied it happened.

We have a statement again today from the member for Timiskaming that it is, in fact, what she said during the caucus meeting and that he is not misleading anyone. I think we are entitled to have the incident cleared up since it relates to statements made by the minister in the House.

Mr. Speaker: Interesting as it may be, it is hardly a point of privilege and it is quite obviously beyond my authority to deal with.

[Later]

Mr. Laughren: Mr. Speaker, on a point of order: I was searching for the appropriate part of the standing orders, but I believe there is provision in the standing orders that a member may now be heard if unanimous consent is granted by the House.

In view of what has been said and in view of the fact that some people may feel that either the Minister of Education (Miss Stephenson) or the member for Timiskaming (Mr. Havrot) is misleading the House or has misled it, I believe the member for Timiskaming should now be heard, but that requires the unanimous consent of the House.

Mr. Speaker: That provision of the standing orders applies only during debate; so it is hardly a point of order.

VISITORS

Mr. Nixon: Mr. Speaker, as we peer through the glare of all these lights that are shining on us, it is apparent that we have in the gallery, as well as the honoured guests already referred to, a number of good old friends indeed. I think it would be a shame to let the occasion pass without honouring them because, as I look at them, I see a very interesting collection of former members of the Legislature, each one of whom made the rafters ring in this House in his defence of truth and justice. We miss them very much on all sides.

With your permission, Mr. Speaker, we should welcome them back into this chamber, the scene of some of the days of their greatest triumphs. Many of them have gone on to other duties and responsibilities at least as important. We are delighted to have them here. I see Arthur Meen, John Yaremko, Leonard Braithwaite, James Breithaupt and, if I am not mistaken, Vernon Singer, QC.

Mr. Speaker: With all respect, you left out one, Dante De Monte, who has identified himself as the only practising lawyer of the group.

SEATING PLAN

Hon. Mr. Snow: Mr. Speaker, I do not know whether this qualifies as a statement. If it is not a statement, it is a point of information because I know it is not point of anything else. Maybe it is in recognition of our honoured guests. I know how close and how tight the budget in the Office of the Assembly is, but our brand new seating plans which have been placed upon our seats here today, at least at this end of the House, still show as members of the House Albert Roy, Sheila Copps, Jim Breithaupt, Patrick Reid, Eric Cunningham, Don Boudria and Michael Morris Cassidy. Is this old home week?

Mr. Speaker: I would like to point out to the honourable member, and I must say he raised this point with me earlier, that is not the latest issue of the seating plan. That is currently on its way up here and will be on the members' desks no later than the beginning of the week.

2:20 p.m.

STATEMENTS BY THE MINISTRY

Hon. Mr. Bernier: Mr. Speaker, I certainly want to join my colleague the member for Brant-Oxford-Norfolk in extending a very warm

welcome to our former colleagues. It is good to see them in the gallery. I can well recall our many heated debates. Their voices rang loud and clear throughout this Legislature. It is great to have them back.

PLANT SHUTDOWN

Hon. Mr. Bernier: Mr. Speaker, my colleague the Minister of Labour (Mr. Ramsay) and I met with officials of Stelco Inc. yesterday to be informed it has decided to close the Griffith iron ore mine at Ear Falls on April 1, 1985. An official public announcement is being made at 2 p.m. today.

The Stelco executives indicated to us their decision was based on a comprehensive review that concluded ore from the Griffith mine had the highest delivered cost of any of its ore-producing facilities. Transportation and mining costs were cited as among the reasons for this decision.

The Griffith mine came into operation in 1968 and has been operating for the past three years at 50 to 60 per cent capacity. The current work force is 280 persons.

This information came as a shock, not only to myself but also to my cabinet colleagues. After consultation with the Minister of Industry and Trade (Mr. F. S. Miller), the Minister of Natural Resources (Mr. Pope) and the Minister of Labour, I wish to inform the House that the Premier (Mr. Davis) has today sent a letter to the president and chief executive officer of Stelco, Mr. J. D. Allan, requesting an immediate review of this decision.

Should this review not result in a change in the company's decision, the government will ask that it not be implemented until the company, the Ontario government and the township of Ear Falls can put in place measures that will ensure the continued viability of that community.

The members will also be interested to know that the government will approach the government of Canada to discuss a program of assistance to single-industry resource communities announced last week by the Minister of Finance, the Honourable Michael Wilson.

Finally, I wish to assure the members of this House that in my discussions with Stelco I made it abundantly clear that the government was determined to do everything it can to ensure the consequences of this decision are carried out humanely, responsibly and with total regard for the welfare of all the workers, their families and the communities affected. I would point out that this closing will affect Red Lake, Balmertown, Cochenour and Ear Falls.

UNIVERSITY RESEARCH INCENTIVE FUND

Hon. Miss Stephenson: Mr. Speaker, I should like to inform the House about details of the government's university research incentive fund, which was announced in the May budget. This initiative is designed to improve the research capacity of Ontario's universities and strengthen the partnership with the private sector.

Mr. Martel: What happened to the other committee on one-industry towns?

Hon. Mr. Bernier: It is working.

Mr. Martel: Fourteen thousand people moved out.

Mr. Speaker: It is very difficult to hear the minister's remarks over the voice of the Minister of Northern Affairs (Mr. Bernier).

Hon. Mr. Bernier: He provokes me, Mr. Speaker.

Hon. Miss Stephenson: Since the budget announcement, extensive discussions have taken place between government, the senior representatives of the universities and the private sector to ensure that the university research incentive fund program is both flexible and responsive.

Today, clear program guidelines and application procedures have been mailed to all the universities and to more than 1,000 corporations, industry associations and privately supported research organizations in Ontario. The fund will be used to share the costs of approved research projects that have potential economic benefit for this province.

An integral feature of the program calls for the retention of equipment used in the research project by the universities. By so doing, the fund will increase the research capacity of Ontario's universities as well as the availability of research equipment for future and related use.

The government has committed \$30 million to the fund for the next three years. Every \$2 invested in an approved research project by a private corporation will be matched by \$1 from that fund. The share of the project's costs assumed by the private sector may include contributions in kind such as equipment, staff assigned to the project, etc., as well as reasonable costs directly associated with the preliminary development phase.

In the near future, I will announce the membership of the selection committee composed of senior representatives from industry, the universities and government who will have

the appropriate scientific and technological expertise to review applications and advise us on the award of grants from the fund. Competitions will be held three times a year, and the deadline for submission for the first competition is December 31, 1984.

The selection committee will use the following criteria when reviewing applications: (1) the quality of the proposed research; (2) the experience and qualifications of the researchers; (3) the potential economic impact of the expected results on industrial expansion, improved productivity, job creation, regional development and increase in trade; (4) the market viability of expected projects; and (5) the extent to which the research will enhance the research and development capabilities of Ontario universities in respect of both staff and research infrastructure.

I believe the interest and the activities generated by this program will have a lasting influence in bringing closer ties between the business and academic worlds for the benefit of all the people of Ontario and, indeed, of Canada.

ORAL QUESTIONS

TRAVEL AND HOSPITALITY EXPENDITURES

Mr. Conway: Mr. Speaker, my first question is to the supervisor of government spending, the Chairman of Management Board.

Given the government's restraint doctrine and given the advice of the Treasurer (Mr. Grossman) to municipalities and public sector agencies throughout the province that the time has now arrived not just for restraint but for flat-lining the tendency to spend more government money, is the minister aware that in the just-published Public Accounts, 1983-84, volume 3, Details of Expenditures, we are treated to the spectacle that last year the Minister of Agriculture and Food (Mr. Timbrell) increased his travel expenditure by 106 per cent, from \$28,173 to \$58,040, and that the Treasurer, the flat-liner himself, increased his personal travel budget by 16.8 per cent?

Is the Chairman of Management Board, as part of this flat-lining government, aware of this information? How does he account for these rates of increase; in the case of the Minister of Agriculture and Food an increase in his personal travel account of more than 100 per cent, and in the case of the flat-lining Treasurer himself an increase in his personal travel account of almost 17 per cent?

Hon. Mr. McCague: Mr. Speaker, in answer to the first question, yes, I am aware; I have the book here too.

Then if we set aside the editorial comment that the honourable member makes, I have no way of following the two ministers around. I would just say to the member that I am sure the Minister of Agriculture and Food, for instance, has been in his riding, has been there in the interests of the job he holds, that of Minister of Agriculture and Food, and has been in every part of this province. I am also well aware that the Treasurer has travelled to many parts of this province carrying the good word on behalf of the government of Ontario.

2:30 p.m.

Mr. Conway: The Minister of Agriculture and Food must have tractor lag after this kind of travel increase. How does the Chairman of Management Board account for so dramatic an increase in the personal travel budgets of leading members of this restraint-oriented government, a government that, through its Treasurer, encourages the hospital workers at Sensenbrenner in Kapuskasing to live with less and the municipalities in Dufferin-Simcoe and elsewhere to flat-line and be much more prudent in their expenditure of public funds.

Hon. Mr. McCague: To a great extent the emphasis of the member's question seems to be on flat-lining. I do not know of a year yet in which the budgets that went to the municipalities were flat-lined, and I am not at all sure there will be a year in the future when that will happen. That is a decision for which he will have to wait. I understand the questions he is asking nowadays are all aimed at the leadership candidates, who are all wonderful gentlemen.

Mr. Rae: Mr. Speaker, the view that it is hard to tell the difference between the four horsemen of the apocalypse and that they are roughly equal is one that I am sure is shared on all sides of the house.

However, surely there is another question that is quite fundamental. As these four horsemen and other cabinet ministers have flown and driven around the province in all ways, shapes and forms in the last year, surely the same restraint that is being applied to people who work in nursing homes and hospitals, and to people who work in all parts of the province, should be applied to ministerial spending. Can the minister explain why there appears to be a double standard going on for public servants in Ontario today?

Hon. Mr. McCague: Mr. Speaker, there is no double standard. I think it is important that the Minister of Agriculture and Food, the Treasurer and any other ministers who have that type of

portfolio get around the province, speak to people to find out what they are thinking and bring that message back here. I do not think one can equate it to the kinds of things the honourable member would like to equate it to.

Mr. Conway: I remind the Chairman of Management Board that flat-lining is the stated policy of the Treasurer. My final supplementary also relates to items contained in this most interesting volume 3 of our Public Accounts, which has just been published.

Can the supervisor of government spending indicate to this House, and to the people beyond who are subject to the restraint yoke of this government, what particular benefits accrued to the taxpayers of Ontario when his government invited the Institute for Ultimate Reality and Meaning to lunch at a cost of \$723, and what particular benefits accrued to the taxpayers of Ontario when, at the minister's request, they spent \$1,000 for wine and cheese in aid of the Planetary Initiative Congress?

Hon. Mr. McCague: I do not understand the jargon of the member for Renfrew North. It is probably too far north for me to understand. I will take his questions under advisement and give him the answers he deserves at some later date.

Mr. Conway: The taxpayers wait with bated breath to find out exactly what the Institute for Ultimate Reality and Meaning is. Is that a Hugh Segal operation?

Mr. Speaker: Is that the member's question?

Hon. Miss Stephenson: No, it is not.

Mr. Nixon: Nobody is asking you.

Mr. Conway: The minister of all education opines on these matters and I seek her guidance. She refused to comment when invited moments ago and now she cannot contain herself. I do not have the Northern Daily News.

Mr. Speaker: Question, please.

[Later]

Hon. Mr. Wells: Mr. Speaker, the member for Renfrew North asked a question of the Chairman of Management Board to which I have the answer here. If he wished, I could give him the answer at this time. He asked about the amount of \$1,000 for the Planetary Initiative Congress reception.

This group, composed of 400 people, met on June 17 last year at the Ontario Institute for Studies in Education. The purpose of the group is this: It is a broad coalition of organizations and groups joining together to discuss global problems such as the arms race, poverty, pollution,

hunger, energy shortages and unemployment, with a view to changing attitudes towards and finding solutions for these problems.

Mr. Conway: Mr. Speaker, I very much appreciate that information. The minister of all education has privately communicated her information on the Institute for Ultimate Reality and Meaning, which group we lunched in the amount of \$723.

In the light of the government's rigorous application of its restraint doctrine to people such as the Sensenbrenner Hospital workers, what policy is in force with respect to governmental hospitality to ensure that the restraint doctrine is applied with equal rigour and clarity to that budget as it is to low-paid hospital workers, such as those at Sensenbrenner in Kapuskasing, whom the Treasurer has flat-lined? He has very rigorously flat-lined their incomes so that they are not likely to be taken out for lunch, dinner, wine or cheese by the executive council of Ontario.

Hon. Mr. Wells: The total amount is \$350,000 for government hospitality. The guidelines are all very carefully laid out. I can send the member a copy of those, if he so wishes. He will find all the uses for this indicated on pages 154 and 155 of Public Accounts. Unlike other sections of Public Accounts, where amounts under \$5,000 and so forth are not indicated, everything down to \$226 and \$187 is all indicated here.

I think my friend would agree that as a province of nine million people and one of the key provinces of Canada, there is a responsibility for Ontario to provide hospitality for various groups that come to meet in this province and for very distinguished visitors who come here. Compared to a budget of about \$23 billion, the amount is minuscule.

The constraints placed on all other ministries apply to those things with which the hospitality fund has to deal. The bottom line is that there are a lot more responses or requests that come in for assistance than we are able to fulfil.

ENVIRONMENTAL PROTECTION

Mr. Conway: Mr. Speaker, my question is for the Minister of the Environment. It concerns who is protecting Ontario's interests in the key matters of environmental protection now that his federal brethren have undertaken to eviscerate much of the federal environmental budget, particularly as it relates to water quality protection in the very important Great Lakes of southern Ontario.

The minister is aware that last Thursday night his federal cousin, the Honourable Michael Wilson, in his document concerning Canadian economic policy, cut \$44 million from very important environmental protection programs. As a result of Mr. Wilson's cuts, the new Canadian Centre for Toxicology centre at Guelph will not enjoy federal support, nor will the herring gull egg monitoring program located at the Canada Centre for Inland Waters at Burlington, which program has been very instrumental in helping us determine the presence of dioxins in the water of the Great Lakes.

What particular undertaking is the Minister of the Environment prepared to give this House that he will fight these ill-considered cuts by his federal brethren in Ottawa, which will have a very serious and negative impact on our ability to protect and improve the water quality of the Great Lakes?

Hon. Mr. Brandt: Mr. Speaker, it is a delight for us on this side of the House to finally see a government that lives within its means and spends within the capacity of the taxpayers of Canada. That is a delight.

I want to give this House the assurance that if there are any essential programs that, for whatever reason, are not undertaken by the federal government through its previous agenda of responsibilities, I plan on meeting with my counterpart the federal Minister of the Environment, and during the course of those discussions I want to give members the assurance that we will work co-operatively to make sure that all of those needed programs will be carried out either by this level of government or by the federal government.

Mr. Conway: The minister will know that four million Ontarians take their water from the Great Lakes, Ontario and Erie. He will also know that dioxins are leaking from the Occidental Chemical Corp. dumps in Niagara Falls, New York, and migrating out into the Great Lakes system.

What particular undertakings, beyond a meeting, is the Minister of the Environment prepared to give these four million Ontarians who are very concerned about this chemical contamination of the Great Lakes waters in the light of the ill-considered cuts in environmental protection that have now been engaged in by his federal brethren in Ottawa?

Hon. Mr. Brandt: Since the member has indicated some interest in the water quality in the Niagara River, and ultimately the drinking water of some four million Ontario residents, I give

him the assurance that there is a report of a three-year study undertaken by the Environmental Protection Agency in the United States, the state of New York, the province of Ontario and the federal government of Canada, that will be released at the end of this month.

I have seen some preliminary information from that report and, knowing the member's concern about this issue, knowing how vital he considers this point to be, he will be absolutely delighted to know that, as I have been stating in this House time and again, the drinking water quality in Ontario is second to none in the world.

Mr. Conway: If the minister talks to his colleagues the member for Elgin (Mr. McNeil), the member for Mississauga South (Mr. Kennedy) and the member for Wellington-Dufferin-Peel (Mr. J. M. Johnson), all of whom joined with myself, the member for Wellington South (Mr. Worton), the member for Brant-Oxford-Norfolk (Mr. Nixon) and others to go to the University of Guelph yesterday, he will know there is very great concern in Guelph about the incredible decision taken by Mr. Michael Wilson to cut federal support to the new Canadian Centre for Toxicology.

What specific undertaking is the Minister of the Environment prepared to give Dr. William Winegard, the University of Guelph and his colleague the Minister of Colleges and Universities (Miss Stephenson) that the very important new toxicology centre will now proceed with the full support of the Ontario government?

2:40 p.m.

Hon. Mr. Brandt: I understand the concerns of the member with respect to the centre for toxicology. We are reviewing this. I am disappointed it was cut from the budget; I am prepared to say that. However, this government is looking at options, alternatives and other ways of proceeding with programs that will very effectively carry out some of the same responsibilities that were going to be part and parcel of the centre for toxicology.

I know the members want to know this information, but, as an example, we will probably be increasing some of the work we currently do with regard to research with some of our friends in universities.

Second, we are looking at some co-operative programs with my colleague the Minister of Agriculture and Food (Mr. Timbrell), who some years ago had a program in place that was very comparable to the centre for toxicology and that he put on the back burner awaiting the develop-

ment of this new facility, which has now been delayed for some period of time.

Finally, I want to give the member the assurance that we are looking at the areas of concern he has raised now that the centre has been cut from the budget, and we will find ways to bring forward alternative programs that will fulfil the responsibilities of this government quite adequately.

Mr. Rae: Mr. Speaker, I also have a question for the Minister of the Environment. He will know that when dioxin and Mirex were discovered in Lake Ontario they were discovered in gull eggs. He will know that it was this process of scientific investigation that first set all of us to realizing just how serious the poisoning of Lake Ontario has become.

The program that has been cancelled by Mr. Wilson deals specifically with the gathering of gull eggs and their assessment. The minister will know that this program has been cut at the Canada Centre for Inland Waters and is going to be cancelled in the new year.

Dealing specifically with that program, will the minister make a specific commitment today that the government of Ontario will spend the \$250,000 a year it costs to keep that program going and at least recognize that it has made an enormous contribution to our knowledge of what is going on in the Great Lakes system?

Hon. Mr. Brandt: Mr. Speaker, I do not deny that the program has made an enormous contribution to our environmental knowledge in the province. I cannot undertake to give the leader of the third party a commitment today that we will undertake to continue that program. However, I can say we will review any of the programs that have been removed from the federal budget.

There are some areas of duplication. There are some areas in which this very same research is going on in other parts of the world; it does not specifically have to do with the dioxin study the member is talking about, but there are many areas where this research is going on. We will take an agenda of all of those research projects, review them very carefully and determine which ones are necessary for Ontario.

With respect to the whole question of dioxin, I do not know of a jurisdiction that has compiled more information and more expertise in the area of dioxin than has Ontario. As the member well knows, the levels of dioxin that we are currently monitoring and sampling for were unheard of just a few years ago. We have now developed equipment that will allow us to measure one part per quadrillion. Those kinds of infinitesimally

small numbers are such that a few years ago we did not even know there were things such as dioxin in the water, so we are well advanced in that area. Perhaps more research is going to be necessary and, if so, we will undertake it.

Mr. Rae: The minister will know—at least, I hope he knows—that monitoring the Great Lakes with respect to this chemical pollution, and in particular this monitoring of the migratory birds program, is something to which Canada is committed under article 6 of the Great Lakes Water Quality Agreement and, under annex 2, the effects of toxic substances on wildlife have to be part of the research done on the Great Lakes.

We have had the Reaganite cuts under Anne Gorsuch in the United States. We have now had the Reaganite cuts in Environment Canada under Mr. Wilson. In the Ontario Ministry of the Environment, the minister has cut back air resources activity from \$7.2 million in 1983-84 to \$6.8 million, water resources activity from \$9.1 million to \$7.6 million, and his environmental control program from \$38.6 million to \$37 million. These have been actual cuts in expenditures.

Mr. Speaker: Question, please.

Mr. Rae: Will the minister commit himself today to reversing this foolhardy process of cutting back on our knowledge and on our ability to provide safe water and clean air for our children and our grandchildren?

Hon. Mr. Brandt: The leader of the third party has once again extracted very selective figures from the budget of my ministry. The reality is that if he had looked at the global numbers as they relate to that operating category, research projects and all of those areas of involvement, he would see they have gone up very substantially over the course of the past year and that we have not in any way reduced our commitment to protect the environment of the citizens of this province.

Mr. Kerrio: Mr. Speaker, the minister has cut some \$29 million from his budget in the last two years. The threat that we are concerned about in the Niagara area is the leaching from some of those dump sites on the United States side. How does he propose to continue doing the kind of monitoring that is going to be necessary if the federal government and the provincial government take substantial amounts out of those budgets? That should be ongoing and, in fact, increased because of the great threat from those dump sites on the US side.

Hon. Mr. Brandt: Mr. Speaker, let me give the honourable member the assurance that, in fact, that area of our budget has been increased. The \$29 million he referred to has come out of our capital expenditure program, specifically related to provincial projects.

I want to tell the member, as well as members of the third party who cannot seem to get it through their heads, that when we complete a project, when we have finished spending government money on it, there comes a time when perhaps we can save the taxpayers some dollars.

Mr. Kerrio: Not on Ontario water. They do not want to save money on Ontario water.

Interjections.

Mr. Speaker: Order.

Hon. Mr. Brandt: I am going to explain how we do that. We have projects in this province that we are no longer going to have to fund because, quite frankly, we have completed all of the work over a period of time. Had the member attended my estimates, he would have received this information.

Over a period of time, the capital expenditures area of the provincial Ministry of the Environment budget will ultimately go down to zero because we will have completed those large provincial projects. There are only a few of them left.

In the same time frame, we are increasing the number of dollars we are spending on research activities and on other areas of environmental involvement, which is the exact kind of question that has been raised both by the leader of the third party and the member for Niagara Falls (Mr. Kerrio).

Let me again give the member a very clear, distinct and understandable commitment that we will continue to monitor the US sites and we will continue to have the Niagara River study team in place; they will not at all be altered or reduced in any way, shape or form. If anything, we will increase our commitment to that area.

Mr. Rae: No matter how the minister cuts it, we now have governments in Ontario, Washington and Ottawa that have chosen the environment as an area of significant reduction, not only in capital spending but also in monitoring with respect to basic things such as acid rain and other problems and, in particular, with respect to the monitoring of the Great Lakes.

What Reagan did in 1981 and 1982 to the American side of the Great Lakes, the minister and his friends in Ottawa are doing in 1984 and 1985 on the Canadian side.

Mr. Speaker: Question, please.

Mr. Rae: It is nothing short of a disgrace when we consider how much of our drinking water and how much of our future depends on our having a safe Great Lakes system.

Can the minister at least make a positive commitment today, that for \$250,000 a year—that is all it costs; Bryce Mackasey's pension for five years—he is at least prepared to spend that much in order to ensure the survival of the migratory birds project, which will allow us to keep on monitoring the eggs and allow us to monitor the dioxin and the Mirex and the other new compounds that pose a threat to the 21st century? Will he at least make that commitment in terms of \$250,000 a year?

Hon. Mr. Brandt: In the spirit of co-operation, I will at least undertake to indicate to the leader of the third party that I will take the matter under active review.

Mr. Rae: That is better than the royal commission. I take that for what it is worth.

2:50 p.m.

NURSING HOMES

Mr. Rae: Mr. Speaker, I have a question for the Minister of Health. Is he aware that the third largest nursing home company in Ontario, the Bestview Holdings Ltd., which has a total of 1,044 beds, has now signed a deal with Beverly Enterprises of Pasadena, California, in which, subject to approval from the Foreign Investment Review Agency, Beverly will now purchase all of the shares of Bestview?

This sale marks the first takeover of a nursing home chain by an American multinational company in the history of this province. Can the minister explain what it will mean to Ontario in terms of new jobs, improving quality of care, and improving the overall structure of nursing home care in Ontario? Can he explain to us why his ministry is powerless to do anything to stop it?

Hon. Mr. Norton: Mr. Speaker, as presented, there are several questions involved. I am not sure which the Speaker would like me to answer.

The short answer to the first question is yes, I am aware there is a pending purchase of shares of Bestview corporation. I have been advised of it. Of course, my ministry does not have any authority to regulate the purchase of shares of a Canadian corporation. That is something that is beyond the jurisdiction of my ministry.

The member for York South asked whether I have any concerns about the quality of care. I

think he is aware that Bestview is a corporation with a very fine reputation in the nursing home field. The same management will be remaining at Bestview, as I understand it. There have certainly been assurances of the maintenance of the quality of care for which Bestview is known. Obviously it is something we will continue to monitor very carefully.

In short, there have been some suggestions that the corporation may well be prepared to invest money from its corporate foundation in the form of capital and also in the form of research money in the area of diseases and ailments of the ageing in this country.

Mr. Rae: Can the minister tell us, first, in one brief answer, what benefit is there to this province and its taxpayers in having \$25,000 a day going to a nursing home chain that is now going to be owned entirely by American shareholders?

What possible benefit is it to the taxpayers of Ontario to have that amount of public money going out of the country, not for the provision of anything new, not because these shareholders are investing any new money in Ontario, but simply because they are taking over a group of nursing homes that already exists?

What possible benefit is it to the people of Ontario to have that money going south of the border when it should be staying here and providing for the care of our citizens?

Hon. Mr. Norton: Surely the member should put his question in context. If his concern is for the maintenance and provision of high-quality care to residents of this province requiring nursing home care, then that care is going to be continued.

Is his particular hangup on this issue the fact that there will continue to be private sector involvement in the provision of high-quality health care in Ontario? Extending that one step further to a degree of economic nationalism as he would apply it in this situation, is he suggesting no one other than Canadians ought to be involved in the provision of high-quality health care in Canada?

I would point out to the member that there are a number of well-known Canadian nursing home corporations having extensive private holdings in the United States. They provide high-quality health care there. Is the member suggesting we close our borders to investment from the United States?

Mr. Cooke: Mr. Speaker, our concern in this matter is that with finite health dollars, because we do not have an infinite amount of health

money in Ontario, the money is going out of this country in addition to going out of the system. This has absolutely nothing to do with good patient care.

Does the minister, as the minister who sets the policy for health care in Ontario, not agree that his ministry should have input into who owns the nursing home beds in this province? Does he not agree the legislation should be changed so that we at least have some input into who buys the shares of these corporations? Then we can determine who the owners are.

Does the minister also not understand there is a loss of local control over the ownership of these nursing home beds because they are now owned by foreign interests rather than by Ontario interests?

Hon. Mr. Norton: Mr. Speaker, absolutely not. That is surely garbage once again coming from that party. They are so hung up on this narrow ideology that seems to motivate them that they never can see the forest for the trees.

Our responsibility is to ensure high-quality health care in this province, and we will continue to do that. But no, we are not going to get into trying to determine whom it is appropriate to have invest in this province, other than to ensure that they are reputable and responsible individuals. I am not going to start conducting investigations of either the member or people who are prepared to invest money and provide high-quality health care in this province.

DEVELOPMENTALLY HANDICAPPED

Mr. Bradley: Mr. Speaker, I have a question for the Minister of Community and Social Services. When I asked the minister recently in this House when he was going to provide funding to meet the genuine needs of mentally handicapped individuals in the Niagara region, he indicated he knew there was a problem and that it was being studied.

If the minister is aware of the problem, which is lack of adequate accommodation, facilities, services and programs for mentally handicapped individuals in the Niagara region, and if he is aware of the solution, which is the provision of funding to meet these needs, why does he not move immediately by allocating the necessary money to assist those who are at such a disadvantage in receiving the kind of help they need and the kind of help that can be provided only by the provincial government?

Hon. Mr. Drea: Mr. Speaker, I am absolutely delighted the member asked me, and he is not going to like the answer. There is a meeting today

with all of them, including the one who gives him the misinformation.

Mr. Bradley: It is always interesting to hear that the volunteers who are involved with the associations for the mentally retarded are people who give us the wrong information.

Mr. Speaker: Question, please.

Mr. Bradley: It is also nice to know that a five-part series on channel 11 prompts some action over there.

When some mentally retarded people in the Niagara region have been reported to be living in cars—there has been a report of one individual living in a car, for instance, one in an abandoned factory and several in so-called flop-houses—and when the documented needs of these people have been so well known to the Ministry of Community and Social Services for so long, why has the minister delayed so long?

How can he justify this delay in the provision of these funds? How can his ministry continue to use the desire to force the regionalization of the six associations for the mentally retarded as an apparent condition for providing the funding that is so badly needed?

Hon. Mr. Drea: This question of forcing anybody to do anything is not correct. The member heard me say in this House that it is not correct.

Mr. Bradley: That is not the story that is coming back, and the minister knows it.

Mr. Speaker: Order.

Hon. Mr. Drea: I am not terribly concerned about what stories the member wants to tell. He asked me a question; he is now getting a reply.

Mr. Bradley: These are volunteers in that field.

Mr. Speaker: Order. Proceed, please.

Hon. Mr. Drea: Nobody is forcing anybody to do anything. There is a meeting of my deputy minister and the representatives of six of the associations in the Niagara Peninsula today. We have asked them to bring forward certain proposals together. We have suggested to them that the time has come to take an overall planning approach to the problems in the Niagara Peninsula, and I am quite sure the meeting this afternoon will be very fruitful.

If the member has any information about a person who is developmentally handicapped and known to the government who is living in an automobile, I would like to have it. If the member has any information about a person who is developmentally handicapped and known to

the government—in other words, one of our clients—who is living in a factory, I would like to know about it. As I am sure the member will agree and admit, something will be done about it instantly.

3 p.m.

PLANT SHUTDOWN

Mr. Stokes: Mr. Speaker, in the absence of the Minister of Northern Affairs (Mr. Bernier), I would like to ask a question of the Minister of Labour, as a result of the statement the Minister of Northern Affairs made earlier today. The Minister of Labour was mentioned in the statement.

First, is it his impression that Stelco, in the closure of the Griffith mine at Ear Falls, intends to import even more iron ore from captive mining companies in the United States while closing out operations at Ear Falls, which means the loss of at least 280 jobs directly and even more with the spinoff effect?

Second, whatever happened to the special committee that was set up by the government, under the chairmanship of the Minister of Industry and Trade (Mr. F. S. Miller), to look into the effects of plant closures on one-industry towns in northern Ontario?

Hon. Mr. Ramsay: Mr. Speaker, in response to the member's first question, the information provided to me by the officials from Stelco is that the same ratio of iron ore purchased between Canada and the United States will be maintained if the Griffith mine is closed. It now is approximately 50 per cent Canadian iron ore and 50 per cent US iron ore.

There was a second question about the committee set up under the chairmanship of the Minister of Industry and Trade. That committee wound down its deliberations and the responsibility was moved from the Ministry of Industry and Trade to the Ministry of Northern Affairs. It is the lead ministry in that respect.

Mr. Laughren: Mr. Speaker, that is an incredible abdication of responsibility and leadership on the part of the minister and his colleague the Minister of Northern Affairs.

Are those ministers aware of the financial situation of Stelco from the latest figures available? For the nine months ended September 30, 1984, Stelco had a net income of \$31.7 million and paid out dividends of more than \$38 million on preferred shares. That is the same company that is crying poor and complaining that it is the cost of the ore that is causing the shutdown of this mine.

Is the minister also aware that the production taxes paid per ton of ore are lower in this part of North America than in almost every other part? I believe the only other part that is lower is Michigan, which is slightly lower. Brazil is lower if one wants to dip down to South America.

Will the minister give us his assurance that before that mine is allowed to close, the financial situation of Stelco will be taken into consideration so that another resource-based company is not allowed, yet again, to walk away from a one-industry community in northern Ontario?

Hon. Mr. Ramsay: Mr. Speaker, if the member will recall the statement made by my colleague the Minister of Northern Affairs, he said a letter had gone out today under the signature of the Premier (Mr. Davis) asking Stelco to review its decision. There will be ample opportunity to obtain the information the member is requesting at the time of that review. Much of the information I already have.

Mr. Mancini: Mr. Speaker, we had similar questions concerning plant closures, partial closures and mass layoffs on Tuesday. The minister stated at the time that Bob Joyce of the plant closure review and employment adjustment branch looked after these things, that the information flowed through to the ministry and all kinds of things were being done.

Can the minister inform the House exactly what can be done under the legislation that exists today to assist these 280 people who are going to lose their jobs and whose town is going to be closed down? What powers does the committee within his ministry have, other than public relations powers, to make people feel the committee is there and may be able to do something about it?

Hon. Mr. Ramsay: Mr. Speaker, obviously the member is not aware of the work that is done by Frank Clouthier.

Mr. Laughren: We know exactly what the minister is doing. Nothing.

Mr. Speaker: Order.

Mr. Mancini: Mr. Speaker, on a point of privilege: I know very well what is done by this government.

Mr. Speaker: Order. Would the honourable member resume his seat, please. I might point out that was not a point of order, a point of privilege or anything else.

Hon. Mr. Ramsay: The member opposite is fair-minded. I would like to offer him the opportunity to come over to the ministry and meet with Bob Joyce, with me and with other

senior members of the ministry. We will be happy to take him through the various steps that are taken to protect the workers in Ontario.

FAMILY BENEFITS

Mr. Wrye: Mr. Speaker, I know the Minister of Community and Social Services will remember the discussions we have had in the past regarding the level of social assistance in Ontario. At one point the minister had this to say:

"The cash allowance"—referring to social assistance payments—"does not tell the whole story. Recipients of social assistance receive other cash and noncash benefits. When all these benefits are added up, I think most people would agree that this combined income level sufficiently provides for basic needs."

I am sure the minister is aware that a recent Social Planning Council of Metropolitan Toronto report takes into account the other cash and noncash benefits and still provides a dismal picture of the growth over the past several years. In fact, Ontario ranks ninth in its monthly benefits to families on social assistance, including the maximum shelter allowance. It ranks seventh in after-shelter income for families of one parent and child. It is curiously lower still, in 10th position, for families of two adults and two children. In fact, we only rank higher than New Brunswick overall.

Mr. Speaker: Question, please.

Mr. Wrye: What response does the minister have to this evidence of Ontario's really dismal performance with regard to families?

Hon. Mr. Drea: Mr. Speaker, first of all, that is not true. I would point out the press release turned out by the social planning council was not only mythical, but it failed to take into account the increases effective January 1, which were announced last month. The figures used were mythical because they were based upon young singles having rents of \$300 a month. Fewer than four per cent of the young singles in Ontario have rents of more than \$300 a month.

Second, I would point out that Ontario cannot be ninth when young people in New Brunswick get \$108 a month; in Quebec, \$154 a month; in Newfoundland, \$264 a month; and in Ontario, \$361 a month.

The social planning council's report does not include free Ontario health insurance plan coverage, drugs and a number of other benefits in this province.

There is one category in which we are somewhat behind in my view, and that is in the case of the family on general welfare assistance

with two children. I am going to remedy that. I could not remedy it in this increase because we had other priorities, but it has now become our number one priority.

3:10 p.m.

Quite often it is said that the social assistance benefits in this province have not kept pace with inflation. If we go back to January 1975 and look at a family consisting of a single parent and two children, such a family has received increases over the years of 129.6 per cent, while the consumer price index increase was 123.3 per cent during that time.

If we look at the guaranteed annual income system for the single disabled person, the increase has been 125.2 per cent in that period while inflation or the consumer price index has risen by 123.3 per cent. Over that period, benefits for a single woman 60 to 64 years of age on family benefits have gone up by 205 per cent compared to that 123 per cent increase in inflation. The single employable has not kept pace because—oh, yes, he has; it is pretty even. He has received 125 per cent in terms of increases and inflation has been 123.3 per cent.

The current case I mentioned, where in my view we were not quite where we should be, is that for two adults and two children on general welfare assistance, which is particularly a problem of the recession, increases have been 117 per cent over those nine years compared to an increase in the cost of living of 123.3 per cent, but I have said we would make it a priority.

Mr. Wrye: Speaking of myths, in his answer the minister really took on a mythical straw man and decided to bash it down because he dealt with the single employable individual. My question, as the minister I am sure might remember, dealt with families. I will come back to families in my supplementary.

Can the minister explain and justify why, according to the levels produced in this report, Ontario ranks ninth in 1984—

Hon. Mr. Drea: It does not.

Mr. Wrye: I am excluding the minister's 1985 increase, which comes in January, but this year Ontario ranks ninth in three out of four categories and exceeds only the level in New Brunswick. Why are we not treating those families with dignity and giving them the kind of income they need, particularly the children of Ontario?

Hon. Mr. Drea: I dispute the fact we rank ninth. I think I have given enough figures to dispute that. I am glad to see the member says I have knocked down a mythical straw man. I am

glad to see he agrees that the whole report of the social planning council, a group that admitted it had cooked its books before, is now producing mythical straw men for the minister to knock down.

In the last two years there is no government in Canada that has produced two increases except the province of Ontario. No one is meeting the problems of the recession, particularly with respect to welfare and the provision of social assistance, as well as the provision of social assistance on a long-term basis to the disabled, better than this province. In all fairness, I suggest the honourable member realizes that.

INDEPENDENT MEDICAL EXAMINATIONS

Mr. Martel: Mr. Speaker, I have a question for the Minister of Consumer and Commercial Relations regarding Mr. Skinner, a constituent of mine.

Mr. Skinner was injured on June 25. His attending physician said maybe he would be able to resume work on July 16. The Metropolitan Life Insurance Co. sent him for an independent medical examination on July 19 and terminated his benefits as of that day, despite the fact that both the attending physician and his partner believed the man still had disability at that time.

Since this is a growing practice that insurance companies are engaging in, sending people for independent examinations, can the minister indicate to me what action the government is taking to prevent this from occurring since there is no appeal mechanism for these people to have their problem addressed?

Hon. Mr. Elgie: First, Mr. Speaker, I am not sure that the member is accurate in suggesting that there is any widespread problem in this area. I receive complaints such as this on very few occasions and, in most cases I may say, we have been able to mediate the situation and achieve what we thought was a just and fair disposition of the situation. If I do not already have this information, and the member may have written to me about it already, then I will certainly have it reviewed and get back to him on it.

Mr. Martel: The minister might say it is not a growing problem, but I think it is. The superintendent of insurance is looking at it, and I know that to be a fact.

This man has subsequently gone to an orthopaedic surgeon and had cortisone twice injected in his foot. Despite that, the disability clause in the contract says it has to be total; in fact, he should not be at work.

Based on the report of the select committee on company law some years ago, is it not time this province started to move towards sickness and accident disability benefits in the New Zealand fashion because of the number of people who fall between the stools, despite all the programs we have both in this province and federally?

Hon. Mr. Elgie: As the member well knows, the public has an option today in the private sector to select among a great variety of disability plans; many are incorporated as part of an employment package. The balance of the population insures itself as it wishes. I know of no present plans of the government to embark on the kind of project to which the member has referred.

3:20 p.m.

RELEASE OF STUDY

Mr. Epp: Mr. Speaker, I have a question for the Minister of Revenue. He is no doubt aware of the request by the township of Woolwich for a study with regard to its assessment and the fact that, on a regional basis, it is paying much more per household for regional services than other municipalities in the Waterloo region.

The minister recently replied by letter to the township, indicating he was not releasing that study. Given that the ministry encouraged the township to ask for the study, what logical reason can the minister have for hiding that information from the taxpayers of Ontario after the taxpayers have paid for it?

Hon. Mr. Gregory: Mr. Speaker, I am well aware of the situation the honourable member outlined, as a delegation from the township of Woolwich was in to see me and we discussed this at length. At the present time, we do not have a policy of doing section 63 studies on regional areas, as the member well knows. At present, that is the policy.

Mr. Epp: First, why would the minister encourage the township to encourage the minister to have such a study if he cannot release the study after it is conducted? Is that not a waste of taxpayers' money?

Second, the minister indicated to the township in his letter: "Legislation does not currently authorize the reassessment or presentation of impact study data at the regional level. In addition, cabinet has not yet concluded its consideration of this issue."

Since the government has been in power for 41 years, and since the member for Wilson Heights (Mr. Rotenberg) arrogantly states at committee meetings that it is going to be in power for another 41 years, why does he not bring in the

legislation? The government has the majority of 71 members. Why does the minister not bring in legislation? If he is trying to imply that he wants to address this issue, why does he not bring in the legislation to address it?

Hon. Mr. Gregory: I am delighted to hear these remarks by the member who has been running around Ontario downgrading the section 63 studies for many months. I have yet to hear a report from him. I would like to see that study to see what monumental recommendations he is going to make towards promoting section 63 studies. We have done and we do studies on municipalities. If the member is telling me he would support a move towards section 63 studies on regions, I will be delighted to hear that remark from him.

Mr. Breagh: Mr. Speaker, is it not true that when the minister wants to release these impact studies, he simply releases them, and that when a study comes up with a set of numbers he does not like, he simply hides behind them and does not release them? Why does the minister not make it a policy that he will release the studies, no matter what they show and even if he does not like them?

Hon. Mr. Gregory: Mr. Speaker, the only time we prepare an impact study under section 63 is when it is requested by a local council. We do not impose, nor do we encourage councils to request them. When they request them, we reply quickly to the study. If the honourable member has a specific area he wants to talk about, I will be delighted to hear about that one. If he can point out to me a situation where a council has requested an impact study and we have refused it, I will be delighted to hear it.

ACCESS TO MEDICAL TREATMENT

Hon. Mr. Norton: Mr. Speaker, on November 13, I was asked by the member for Essex South (Mr. Mancini) to look into the matter of the death of a gentleman from Barrie, Ontario, who had suffered a brain haemorrhage on October 5. I have been advised that the coroner in this matter has decided not to hold an inquest following a preliminary look at the facts.

Following our discussions with the hospitals involved, the staff of my ministry believes every effort was made both to obtain a bed for the gentleman and to ensure appropriate treatment was made available to him.

One of the things I did not understand at the time the question was asked, and perhaps others in the House were not aware of it, was that the time lapse between the haemorrhage occurring

and the gentleman being found accommodation in the Wellesley Hospital was, I believe, three hours, which, in view of the distance to be travelled, was not an inordinate length of time in locating a hospital bed.

The problem, I hope, will be alleviated in the future by the use of the central bed registry to facilitate more quickly the locating of available hospital beds in this kind of situation. However, upon admission to the hospital it was determined that the gentleman was already brain-dead as a result of the haemorrhage, and the diagnosis was then confirmed by two neurologists and a radiologist.

I understand and can appreciate the fact that in a tragedy of this nature it is often difficult for a family to accept this kind of tragic event initially, but I have been assured that nothing further could have been done to assist the gentleman.

It is the practice in this particular hospital, as it is in some other hospitals, that when a diagnosis of brain death occurs, the physicians discuss with the family the desirability of the possibility of salvaging some good out of a tragic death by donating organs for transplant purposes to others whose lives might thereby be saved.

I understand that such a discussion occurred in this case. Unfortunately, it would appear from the question I was asked in the House that the family somehow had the impression it was a little precipitate, and that is most unfortunate, I think. I believe the physicians involved thought they were acting in the best interests of all concerned.

I hope this satisfies the concerns that were raised by the honourable member. If there are further questions, he may wish to have me discuss them with him privately. I will be glad to do that.

Mr. Speaker: If I may just explain to the honourable member, the minister suggested—and maybe you did not hear it—that he would be pleased to discuss with you privately any questions you may have.

PETITIONS

RESHAPING OF UNIVERSITY SYSTEM

Mr. Conway: Mr. Speaker, on behalf of some 10,000 Ontarians who belong to a coalition made up of the Canadian Federation of Students—Ontario, the Ontario Confederation of University Faculty Associations, the Canadian Union of Educational Workers and the Confederation of Ontario University Staff Associations, some of whose leaders are with us in the gallery today, I present the following petition signed by some 10,000 members of the coalition and addressed

to the Ontario Legislature by these good citizens, who believe that investment in education is essential for the future of this province and who express concern about the government's new plan to restructure the university system, which will not, in their view, achieve a quality and accessible education for the people of Ontario.

On their behalf, to the minister of all education, I table this petition signed by 10,000 people, who very rightly draw to this province's attention their very legitimate concern about what is happening to higher education in this our beloved bicentennial province.

M. Rae: M. l'Orateur, de la part de 3,000 étudiants à l'Université d'Ottawa, j'aimerais présenter une pétition à la Législature de l'Ontario, qui s'écrit comme suit:

"A mon avis, investir dans l'éducation est essentiel pour l'avenir de l'Ontario.

"A l'heure actuelle, le gouvernement ne verse pas assez de fonds aux universités. Son nouveau plan de restructuration du système universitaire, que la commission présidée par le Dr Edmund Bovey est en train de préparer, ne produira pas une éducation post-secondaire de qualité et plus accessible aux citoyens et citoyennes de l'Ontario.

"Je veux que le gouvernement de l'Ontario augmente son financement de l'éducation post-secondaire tout en augmentant sa part du coût global de l'éducation supérieure."

In the name of the 3,000 students at the University of Ottawa who have signed this petition to the Legislature, I present it now on their behalf.

3:30 p.m.

REPORTS

STANDING COMMITTEE ON GENERAL GOVERNMENT

Mr. McLean from the standing committee on general government reported the following resolution:

That supply in the following amounts and to defray the expenses of the Ministry of Agriculture and Food be granted to Her Majesty for the fiscal year ending March 31, 1985:

Ministry administration program, \$15,639,000; agricultural marketing and development program, \$56,014,600; agricultural technology and field services program, \$86,976,700; and financial assistance to agriculture program, \$128,029,800.

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Mr. Kerr from the standing committee on social development reported the following resolution:

That supply in the following amounts and to defray the expenses of the Ministry of Health be granted to Her Majesty for the fiscal year ending March 31, 1985:

Ministry administration program, \$85,172,500; institutional health program, \$4,810,184,900; public and mental health program, \$627,663,400; and health insurance program, \$2,718,990,200.

STANDING COMMITTEE ON REGULATIONS AND OTHER STATUTORY INSTRUMENTS

Mr. Sheppard from the standing committee on regulations and other statutory instruments presented the committee's report and moved its adoption:

Your committee begs to report the following bill without amendment:

Bill Pr31, An Act respecting the United Jewish Welfare Fund.

Your committee would recommend that fees plus the actual cost of printing be remitted on Bill Pr31, An Act respecting the United Jewish Welfare Fund.

Motion agreed to.

MOTIONS

ESTIMATES

Hon. Mr. Wells moved that the estimates of the Management Board of Cabinet be transferred from the committee of supply to the standing committee on administration of justice.

Motion agreed to.

TRANSFER OF BILL

Hon. Mr. Wells moved that Bill 132, An Act to amend the City of Sudbury Hydro-Electric Service Act, 1980, standing in the name of the Minister of Municipal Affairs and Housing (Mr. Bennett), be transferred to the Minister of Energy (Mr. Andrewes).

Motion agreed to.

PRIVATE MEMBERS' PUBLIC BUSINESS

Hon. Mr. Wells moved that standing order 64(h) respecting notice for private members' items of business be waived for ballot item 32 in the name of the member for Renfrew North (Mr. Conway).

Motion agreed to.

INTRODUCTION OF BILLS

RESIDENTIAL TENANCIES AMENDMENT ACT

Mr. Conway moved, seconded by Mr. Nixon, first reading of Bill 146, An Act to amend the Residential Tenancies Act.

Motion agreed to.

Mr. Conway: I thank you, Mr. Speaker, my friend the member for Sudbury (Mr. Gordon) and my friend the government House leader for accommodating my truancy in this matter.

I am introducing legislation that establishes a computerized central rent registry for Ontario residents. As a result of this legislation, landlords will be required to file relevant information from January 1, 1976, to the present for all units, including those located in publicly owned buildings, with the exception of units for which rents are based solely on the tenant's income.

I know my friend the member for York East (Mr. Elgie), the minister who said this is a matter of urgent and pressing concern, will move along very quickly to give this unanimous and speedy consent.

RESIDENTIAL COMPLEXES FINANCING COSTS RESTRAINT AMENDMENT ACT

Hon. Mr. Elgie moved, seconded by Hon. Mr. Drea, first reading of Bill 147, An Act to amend the Residential Complexes Financing Costs Restraint Act, 1982.

Motion agreed to.

Hon. Mr. Elgie: Mr. Speaker, I am pleased to introduce for first reading a bill to amend the Residential Complexes Financing Costs Restraint Act, 1982. As members will recall, this legislation will sunset on December 31, 1984. This amendment will extend the act for another year, as I had indicated previously, until December 31, 1985, and make a complementary amendment of another date reference in the act.

When I released the volume I report of the Commission of Inquiry into Residential Tenancies on October 30, I stated our intention to extend the sunset provision while the government considers a recommendation in the report that the act be kept in force. As members will recall, the act imposes a five per cent ceiling on additional rent increases resulting from financing costs on the sale of a property.

TOWNSHIP OF MARATHON LAND ACT

Hon. Mr. Bernier moved, seconded by Hon. Miss Stephenson, first reading of Bill 148, An

Act respecting Certain Land in the Township of Marathon in the District of Thunder Bay.

Motion agreed to.

Hon. Mr. Bernier: Mr. Speaker, the purpose of this bill is to remove a cloud on the title of numerous lots and blocks on Plan 55M-468 Marathon, resulting from the possibility that Road C, as described in the bill, is a public highway, although it was never formally assumed as a public highway.

TOWN OF IROQUOIS FALLS ACT

Mr. Treleaven moved, on behalf of Mr. Piché, seconded by Mr. Sheppard, first reading of Bill Pr39, An Act respecting the Town of Iroquois Falls.

Motion agreed to.

3:40 p.m.

ANSWERS TO QUESTIONS IN ORDERS AND NOTICES

Hon. Mr. Wells: Mr. Speaker, I would like to table the answers to questions 509, 512, 516, 525, 527, 535, 536, 542, 543, 545, 546, 547, 548, 549 and 551, as well as the interim answer to question 544, all of these standing in Orders and Notices [see Hansard for Friday, November 16].

ORDERS OF THE DAY

PRIVATE MEMBERS' PUBLIC BUSINESS INDEPENDENCE ANNIVERSARIES

Mr. Shymko moved, seconded by Mr. Kolyn, resolution 30:

That recognizing the universality and indivisibility of freedom and the adherence to the principles of political liberties and national sovereignty as fundamental elements of our free and democratic society; and recognizing in this bicentennial year the significant contribution to Ontario and Canada made by peoples who have settled on our shores as political refugees escaping persecution in their former homelands where national independence and political liberties had been lost as a result of foreign occupation and domination; and acknowledging our government's traditional recognition of the independence proclamations enshrined in the course of history by the sovereign will of the nations with whom these Canadians are related by ancestry, language and culture, this House invites all Ontarians to commemorate these special independence anniversaries on the respective dates that they are celebrated by the various communities, and suggests that the

Premier sign, upon request and at his discretion, appropriate proclamations on these occasions and allow for any other appropriate recognition on the commemorative day, and asks this government to urge the government of Canada to institute a similar practice in Ottawa.

Mr. Speaker: I point out that you may have up to 20 minutes for your presentation, as provided in the standing orders. If you so wish, you may reserve any portion of that time for your windup. Other speakers may have up to 10 minutes.

Mr. Shymko: Mr. Speaker, I am sure members will be commenting on the various aspects of this resolution. I would like to stress the universality of the resolution.

It is said that every two seconds a new human life is given to the world and is cast into that moving stream which is the force of history. Sooner or later, as all human beings have done since the beginning of time, each individual begins his search for the faith by which we live. In every person's quest for faith, or a set of values or principles, he or she turns to something higher than himself or herself. He or she turns to a body of ideals which promises to give meaning to his or her life.

It is in search of those ideals that we as legislators open our daily deliberations in this House with a prayer seeking that wisdom and guidance prevail in our deliberations. I would like to state that my resolution addresses that very important element which is stressed in our prayer. I would like to remind members of what is said every day.

In our prayer we speak of a strong and abiding sense of the great responsibilities laid upon us. I would like to appeal to that sense of responsibility. We speak of seeking a deep and thorough understanding of the needs of the people we serve. I would like to appeal, once again, to that understanding of a genuine need to which our citizens aspire and which is addressed by this resolution.

Above all, we say we want to be inspired to decisions which establish and maintain a land where freedom prevails and justice rules. My resolution addresses not the tangible and practical aspects of legislation but that intangible side of our human entity, the power and importance of which are often forgotten; namely, man's quest for liberty and justice as foundations of a true and genuine peace, not only in this country but throughout the world.

How fortunate we are to live, grow and prosper in a society ruled by the force of civilized, humane law, where freedom reigns

and justice prevails, not by the law of brutal primitive force where often fear and terror are the orders of the day.

Here in Canada we recognize that freedom is universal and indivisible, that freedom is an inalienable birthright that cuts across all frontiers and boundaries, all limits of race, nationality and religion, and the region where man lives on the various parts of the earth. In this great country of ours, we adhere to the principles of political liberties, individual human rights and national sovereignty as fundamental elements of our free and democratic society. However, the picture is quite different for the vast majority of the world's population.

I would like to point out a tragic irony. Man today has entered the space age. Through his wisdom, ability and ingenuity, he is conquering the vastness of the universe beyond his planet. Along with this tremendous material, technological and scientific progress, we would expect man to have progressed equally in freedom, justice and respect for the sacredness of human life.

The opposite is true today. The so-called free world is shrinking while, increasingly, three fifths of humanity lives under conditions where individual civil liberties and the collective national freedom and sovereignty we cherish and enjoy as citizens of Canada can only be dreamed about by millions of men and women throughout the earth. Many of us are familiar with the statistics published in the annual reports of many institutions, among them Freedom House and Amnesty International, to substantiate this irony.

In celebrating the bicentennial of our province this year, a province founded by the settlement of the first wave of those who could be described as political refugees, let us be mindful of the tens of thousands of people from various corners of the world who have settled on our shores in this province and in this land, beginning with the turn of the 19th century, for reasons that were often political, reasons that could be described as a search for liberty.

In this special year, and by means of this humble resolution, let us pay tribute to those refugees of the past, to their descendants today and to the most recent arrivals who have escaped persecution, discrimination, violations of civil liberties, human rights and national freedoms in their former homelands, homelands where national independence and political liberties have been lost, often as a result of foreign occupation and domination. Let us recognize the

lasting, significant contribution these refugees have made to this province and to Canada.

This should in no way diminish our equal and important concern for those who have sought asylum in our midst as a result of political reprisals by totalitarian regimes in countries that, nevertheless, are considered sovereign and are not occupied by any foreign domination. They are here among us because of the infringement and violation of their human liberties. My resolution does not, perhaps, address that, but we should not forget it and we should be mindful of it.

3:50 p.m.

Unless politicians such as ourselves make a minimum effort, a minimum commitment symbolized by this resolution, and awaken the conscience of humanity from apathy and indifference, the numbers of such refugees surely and definitely will continue to grow. That is why our indifference to the rights of our fellow human beings ceases to be justified and why we must, I appeal to members, try to experience a sense of duty and a collective sense of responsibility to alleviate their destiny and make a personal commitment at times such as today in this resolution.

Every year I have had the privilege of representing the Premier (Mr. Davis), along with honourable members representing the Leader of the Opposition (Mr. Peterson) and the leader of the third party, at many anniversaries of so-called independence days celebrated by Canadians of many origins. The list is long, and I will not even try to name them. They are celebrated every year in every part of this province and every part of our country.

These are anniversaries of independence-day proclamations that were enshrined in the course of history by the sovereign will of the nations with whom these Canadians today share a common ancestry and a common heritage. Many of these proclamations of independence have proclaimed democratic, parliamentary systems of government, systems of government that we understand and live under in our society today.

All I ask is that this traditional recognition be expressed in our official greetings, in the written greetings of the leader of the third party, the Leader of the Opposition and the Premier, and in our own personal greetings as MPPs, and that this recognition be formally expressed by means of an annual proclamation, as is the custom in many countries and in many states south of the border. This would remind all Ontarians and all Canadians that too often we take for granted the

freedoms we enjoy here every day as a civilized and compassionate nation free of tyranny and oppression.

The importance of this resolution is that these Canadians of various backgrounds, members can be assured, hold the painful memory of how quickly and how easily independence and freedom can be set aside by the use of might, the use of power and the use of force and terror.

Therefore, the observance of these anniversaries by these countless Canadians and our appropriate proclamations on these occasions would not only keep alive the spirit of freedom and independence for their respective peoples as a beacon of hope but would also remind all Canadians, irrespective of our origins, that to be preserved, freedom must be valued. It would, therefore, strengthen the resolve of all Canadians to assure that our nation, which we cherish, will continue to be free and united around the ideal of human dignity, justice, tolerance and opportunity for all.

As I said earlier, it would also express our official acknowledgement of the quality of citizenship and the contribution by these Canadians to making Canada a better country for this and future generations. As honourable members are aware, such official recognition has always been relegated to the municipal level by way of proclamations that have been signed every year by the mayors of many municipalities in our province and by such gestures and activities as flag-raising ceremonies in front of city halls.

Yet no similar practice has ever been instituted at the two senior levels of government. It is, therefore, most reasonable and appropriate, in my opinion, to complement this tradition in a more substantial manner by way of proclamations and to sanction our customary practice of issuing official greetings.

What holds our province and our country together is the common dream we all share of a society based on the principles of freedom, peace and order. It is that most fundamental principle of freedom, we must remind ourselves, that underlies our Constitution today. It is this freedom and this principle that is the basis of our enduring peace and order. This dream is shared by those Canadians of various backgrounds who hold these anniversaries and participate in them. It is equally shared by all men of goodwill throughout the world.

I would like to conclude with the words of Benjamin Franklin, who conveyed the feelings of that universality and the sharing of that faith

and concern we all feel as human beings when he said, "God grant that not only the love of liberty but a thorough knowledge of the rights of man may pervade all nations of the earth, so that a philosopher may set his foot anywhere on its surface and say, 'This is my country.'"

The Deputy Speaker: The member has about six minutes remaining, of which he can use any part.

Mr. Ruprecht: Mr. Speaker, certainly the sentiments of this resolution which is before us are very laudable and we would be hard pressed not to support them. I certainly do.

The resolution speaks about the significant contribution that people have made who come from other countries as political refugees. We agree with that sentiment as well. These people who have come from other countries because of political problems in their homeland have come here and have become active citizens. They have provided exceptional service to our community. We find them in all professions and all walks of life: industry, the arts, culture, wherever Canadians make themselves felt.

The resolution also speaks of the regret that is being felt because of the loss of national independence and political liberties in other countries. That is why people have come to this country of democracy. We deeply regret the action that has been taken by some governments to dominate others or to try to snuff out their political will. We also realize there are foreign occupations and foreign powers of occupation that thwart the national will of their people.

As well, the resolution states all Ontarians should be invited to commemorate these independence anniversaries. That again is very laudable. In this country, not only should we be grateful for our democratic institutions and should we try to remember the past and the fact that this country has fought against tyranny and terror, but we should ensure that these very laudable sentiments of democracy are practised here in this Legislature and taught in the schools of this land. They certainly need to be commemorated by those people who have left some tyrannical state and have come to make Canada their new country.

In this instance, when we have other people trying to remind us every year of what happens politically back in their own country and reminding us that we should be grateful for the democratic institutions of this nation, they are doing us a service. As for this resolution, it speaks of those who come from other countries, from tyrannical places, and who are teaching us

these lessons over and over again so that we remember not only on Remembrance Day. In that sense they are indeed providing a service to this country and to us as Ontarians.

4 p.m.

All these are very laudable sentiments. We would be very hard pressed to find anyone who could possibly criticize any of these remarks. But since we also have to look at the specifics of the resolution, I would ask the person who moved it to consider some changes in its operational application.

It says in this resolution "that the Premier sign, upon request," proclamations on these independence anniversaries. I would like to know a little more about how a request will be made. Is it going to be made by one person or by a committee? Does one have to call the Premier directly? Is the Premier going to be available if someone calls him and wants to have the anniversary, independence day or whatever the Premier will call this proclaimed? If he cannot be reached by phone, is this request going to have to be in writing?

Is this going to be an announcement going out to every community saying: "We herewith declare that if you want to have your anniversary day celebrated in Ontario, you have to put this in writing. Here are the points: point 1, point 2 and point 3; here are the justifications: point 4, point 5 and point 6; and here are the solutions: point 7, point 8 and point 9."

I do not know. We would encourage that sort of thing should this resolution find its way through the regulatory channels through legislation. This would have to be specified. Just what will the procedure be? It is important to get to that.

The resolution goes on to say "at his discretion," referring to the Premier. In other words, the Premier will have to decide to which of these anniversaries he will say yes to, which he is going to decline and which he is not going to respond to. Is it going to be the anniversaries of the Ukrainians? Is it going to be the anniversaries of the Byelorussians, the Croatians, the Bulgarians or the Macedonians? What about the anniversaries of the Baltic states? Will the Premier say yes or no? I would assume he would say yes, but I do not know what the criterion will be. What about the Slovenians? What will the Premier say to the Vietnamese? What about the nations of Latin America?

I do not profess to know all the answers. Even though I had indicated to members these sentiments are laudable and I would certainly

agree with the total preamble, I am saying I find it short in terms of its operation and how we implement these laudable sentiments.

The resolution goes on to say further that there would be an allowance made for "any other appropriate recognition." What does this resolution have in mind for "any other appropriate recognition"? I do not know what that could possibly mean. Would the mover be more specific about what he means here so we can support him 100 per cent?

Perhaps we might consider that it be made operational by establishing a special group of people belonging to the Legislature that will then look at these applications individually and make a decision, not based on a political party, not based on whether the groups are a friend or a foe of a political party and not based on whether they have connections with a specific member of the provincial parliament, a minister of the crown or even a person in the opposition, but based on total independence.

What I would like to see really is very clear and very simple, namely, that these anniversary celebrations as they are exercised, written and proclaimed at present in flag-raising ceremonies across this city, are independent, nonpartisan and nonpolitical.

All I am saying is that we totally and wholeheartedly agree with the sentiments of this resolution and will support it. Excuse me, I will support it, because I do not know what the other members are going to do. At the same time, let us look at the specifics. If the member could come up with certain specifics in this resolution and tell us a little more of what he has in mind, not only would I appreciate it, but I am sure he would also get the total and unanimous support of the whole House.

The Deputy Speaker: As the honourable member may know, there is a specific prohibition against any amendment. The resolution is quite in order, and the mover does have an opportunity—he has some time left—to answer any questions you may raise, as you did in your debate.

Mr. Philip: Mr. Speaker, it is a pleasure to speak on this resolution. I know from serving with the member on the select committee on the Ombudsman which dealt with the motion of my colleague the member for Riverdale (Mr. Renwick) about human rights that the member for High Park-Swansea (Mr. Shymko) certainly has a deep concern. I compliment him on the speech he made earlier on the resolution. At the same time, I know and can identify in a very real way

with the legitimate criticisms made by the member for Parkdale (Mr. Ruprecht). This resolution is far too general and, if implemented in its present form, is open to the worst kind of political manipulation by the government.

It is embarrassing—and I hate to do this to the member for High Park-Swansea—

Mr. Gordon: But you are going to.

Mr. Philip: —because the regular method of dealing with the problems he is deeply concerned about was proposed in a very real way.

Mr. Gordon: But you are going to do it.

Mr. Philip: I will talk about the member for Sudbury (Mr. Gordon) because he is one of the ones who blocked doing anything specific about human rights in this Legislature. He can just settle down and listen.

One will find the motion for the adoption of the recommendations of the special report of the select committee on the Ombudsman if one opens up Orders and Notices today. It is still there. That committee, on which the member for High Park-Swansea served so well and of which he was an important person in leading to the recommendation, made a very specific recommendation by which this House and the select committee on the Ombudsman in particular could have dealt with the very real human rights concerns that our constituents have about their relatives in fascist and communist countries.

Unfortunately, much to the embarrassment of the member for High Park-Swansea and other Conservative members of the select committee on the Ombudsman who were party to that proposal, their party would not support it and would not bring forward that recommendation.

It is too bad that this government can introduce resolutions on human rights and platitudes on human rights, but when it comes to real action whereby it can save the lives of people in other countries as a result of the recommendations of the Ombudsman committee, it will not bring forward that report and act on it.

On October 25 when my colleague the member for Riverdale, in his frustration as a private member, brought forth as his resolution the very resolution of the committee on the Ombudsman, there were a number of Conservatives, including the member for Sudbury, who blocked that very real recommendation. I am pleased to see that the member for Lakeshore (Mr. Kolyn), who seconded this motion, and the member for High Park-Swansea were not part of that blocking motion.

I know the member for High Park-Swansea was embarrassed when his colleagues blocked

that motion, a motion in which he played an important role—of all the Conservatives the most important role—in constructing that very important resolution. He comes to us with a very general resolution, and I understand his frustration and I will support his resolution because I know the depth and sincerity with which he has brought it forward.

4:10 p.m.

I would like to show the members the kinds of problems that we in the committee on the Ombudsman were concerned about, the kinds of problems which, if our committee report had been adopted, we could deal with on a weekly or monthly basis as crises occurred. In our gallery to the left, there is a constituent of the member for High Park-Swansea, Dr. Ana Maria Barrenechea. She is the sister-in-law of a trade union leader who was arrested on Friday, November 9, in Chile.

On Friday, November 9, in raids on the National Miners' Federation and the National Peasants' Confederation headquarters, 18 trade unionists, among them this lady's brother-in-law, Ariel Urrutia, and Alamiro Guzman and Juan Antinao were arrested by security forces of President Pinochet.

They were not listed or recognized by the government officials as prisoners. That is one of the worst violations of human rights—the relatives do not know where those people are.

Many other raids took place in different parts of the country, especially in shanty towns, where more than 2,000 men aged 15 to 60 were arrested as well.

Two days ago, on November 13, after receiving international pressure, General Humberto Gordon, the chief in charge of the Chilean secret police, held a news conference to release the names of the trade unionists arrested as well as to inform that they would be confined to different points in the country.

To be confined to different points in the country means that one is in absolute isolation from relatives and friends. As my colleague will tell the House, in the case of a few who happen to be fortunate enough, relatives out of the country can send money and occasionally visit those people who have been imprisoned without any kind of trial or hearing.

To be confined in Chile means to live under constant police vigilance, such as signing the book twice a day at the local police headquarters and always being followed by secret police officers.

In other words, these people have been punished without any charge being laid and without any kind of judicial proceedings. The physical and emotional condition of the detainees have deteriorated. Six of these people, including the brother-in-law of Dr. Barrenechea, have medical problems. To be sent to those rural, isolated and southern parts of the country puts them in grave physical danger.

She confided to me a story I found rather touching. She told me that when she was in Chile in January, her brother showed her a medical document with great pride. That medical document was a signed statement by a medical practitioner who said that the gentleman, her brother-in-law, had a heart condition and, if arrested, he should not be tortured by electricity because it could result in his death. That is the kind of system they face in Chile.

I was talking yesterday to a lawyer by the name of Barbara Jackman who was in Chile from September 4, 1984, to October 6, 1984, who met with various human rights lawyers, organizations and social and community groups. The state of siege was called after she left and the situation is now even worse than when she was there.

Time does not permit me to go into all the details, but in a very legal way I would love to outline the procedure by which people are dealt with as political prisoners.

Prisoners who are eventually acknowledged as such by the military are kept in jail for up to three or four years without charges being laid. There is a secret investigation by a military prosecutor that goes on and on. There are two types of military trials. There is a military tribunal at which evidence is given to a military lawyer and notes are taken, and the defence counsel is limited as to whom and to what extent he can cross-examine.

The war council is the second type of trial. From the secret investigation, it goes directly to a seven-man military panel. They start and complete the trial without stopping except for night. It is normally over in a day or two. There is no appeal. Three men are facing the death penalty and two women are facing five years in that process. A constitutional challenge to the legality of this process is being heard, but it is fairly clear that, with the kind of junta that exists in Chile, little is likely to happen.

I would like to ask members in the few seconds I have left, even if they do not read Spanish, at least to read the figures of the Chilean Commission on Human Rights. The figures show that in 1979 a total of 1,144 people were detained for

political reasons and without any kind of trial. In 1983 that figure rose to 10,401.

The Acting Speaker (Mr. Cousens): The honourable member has concluded his time allotment.

Mr. Philip: Mr. Speaker, I would urge you to read resolution 47, which I tabled on Tuesday and which deals with the need for the release of those 18 trade unionists who are now—

The Acting Speaker: We thank the honourable member immensely for his words.

Mr. Gordon: Mr. Speaker, it is a pleasure to rise this afternoon in support of the resolution put forward by the member for High Park-Swansea, for it is a particularly appropriate time for this assembly to reconfirm its commitment to Ontario's multicultural heritage, a heritage that promotes tolerance, harmony and understanding among the various ethnic groups that make Ontario the rich province it is today.

Mr. Philip: You hypocrite.

Mr. Gordon: It is an appropriate resolution because it reinforces the multicultural focus our bicentennial—

The Acting Speaker: The honourable member will withdraw. He has made a comment that is not within the parliamentary tradition of love and kindness to another honourable member.

Mr. Philip: I am sorry, Mr. Speaker. Is "hypocrite" not an appropriate word?

The Acting Speaker: It is not.

Mr. Philip: Then I will withdraw the word "hypocrite." He certainly was double-faced in his comments.

The Acting Speaker: Thank you. Just sit down, please.

Mr. Gordon: It is yet another avenue through which formal recognition is given to the most important contribution that ethnic groups from all corners of the globe have made to our celebrations.

It is also appropriate because it reflects Ontario's despair about the persecution, strife and political hardship that innocent members of ethnic groups in other countries are currently facing. The violent incidents we have heard about in India recently speak loudly of how fortunate Canadians are to live in a society that thrives on freedom and diversity.

But the freedom and diversity that this country and this province have afforded people of every race, colour and creed cannot be taken lightly. It is necessary that we as the political representatives of the people of Ontario continually

reaffirm and strengthen our commitment to freedom, tolerance and diversity. It must be remembered that such privileges are special and rare. Relatively few people in this world can truly say they live in a country where freedom and democracy are the cornerstones of their policy.

Canada, especially Ontario, is particularly unusual in that these values form the foundation of our country. People came and continue to come to be able to enjoy personal freedom and tolerance, no matter what their origin. As members will know, such a history is exceptional in the modern world. Most countries of today whose histories extend much further back than Canada's were founded not on such values as freedom but rather on nationalism, the will of one homogeneous people to self-determination.

Many historians ascribe the birth of nationalism to the French Revolution of 1789. Others point to more recent events, such as the Treaty of Versailles at the end of the First World War. No matter when the birth of nationalism, it can be credited with the birth of many modern-day nations, such as France, Austria and Germany. Unfortunately, it can also be credited with many of the political conflicts, some violent, that endure today. The Basques in Spain and the Corsicans in France are among those groups whose conflicts are testament to the sustained strength of nationalism.

Canada is special in that we have a country where different ethnic groups and nationals are encouraged to live side by side and share in the experience such diversity brings. Our colourful history is grounded in the settlement of people who desire to retain and maintain their national identity. Indeed, Ontario's first settlers, the United Empire Loyalists, were the first to seek refuge for their national beliefs.

4:20 p.m.

Today Ontario continues to provide refuge and a welcome mat to those of every nation or national belief. As a country, we celebrate the diversities such a *mélange* of people brings to Canada. As a province, we stress the richness such a mix adds to our community. I look back with fond recollections on my days as mayor of Sudbury and my involvement with the ethnic groups there. In Sudbury, a full 12 per cent—

Mr. Laughren: Is that back when the member was a Liberal?

Mr. Gordon: I can see the New Democrats do not want me to talk about Sudbury, as I am being interrupted. Do I take it they are not interested in the ethnic groups in Sudbury and I am not

allowed to talk about them because they want to interfere? I can see that is not the case.

In Sudbury, a full 12 per cent of the population—

Mr. Laughren: The member does not practise what he preaches.

Mr. Gordon: I can see the member for Nickel Belt (Mr. Laughren) objects to my talking about the ethnic people in Sudbury. If that is the case, will he please rise?

Mr. Laughren: Mr. Speaker, on a point of privilege: My objections are based on the fact the member for Sudbury does not practise what he preaches.

Mr. Gordon: The reason they are rising and objecting to this speech is that they do not want me to finish and they do not want me to talk about the people of Sudbury.

The Acting Speaker: The honourable member has six minutes and 13 seconds.

Mr. Gordon: I will continue. In Sudbury, a full 12 per cent of the population belongs to ethnic groups that list their mother tongue as other than French or English. For instance, there are more than 5,300 Italians living in Sudbury. I had the good fortune to spend last weekend at the 37th anniversary of the Caruso Club. That group has become one of the very key cornerstones of our community.

As well, we have 3,200 residents of Sudbury who are Finnish. Those members who like to cross-country ski and those who enjoy excellent male choirs will not find better; the Finnish people are in the forefront in that regard. We also have those very brave Poles living in Sudbury who fought off Hitler during the Second World War and who are now determined they are not going to let the tyranny of communism crush them.

I could go on listing other ethnic groups, but I fear I may use all my allotted time, because the 1981 census lists 17 different ethnic groups in Sudbury. I see the member for High Park-Swansea, who put this motion forward. There are 2,270 Ukrainians living in Sudbury. At Yarmarok time, everybody knows Ukrainians live in Sudbury. They are there with their culture, speeches and music and it is very entertaining for the entire population.

In Sudbury, Polish Independence Day, which this year fell on Sunday, November 11, was celebrated this month. Next month, on December 6, the Finns will be celebrating the 65th anniversary of their independence. Municipalities have traditionally participated in

events on such independence days. This support has explicitly recognized and expressed appreciation for the contribution made by the different ethnic groups. I trust communities will continue to express such support.

As the member for High Park-Swansea has said, there is also a role for the province to play in such ethnic celebrations. Now through the Office of the Premier, greetings are sent to various celebrations on an ad hoc basis. It is my hope and intention that through this resolution, this assembly will formalize Ontario's participation in such events. The nature of the participation must necessarily vary from event to event.

Sometimes the government through a ministry will provide funding for ethnic celebrations. This was certainly the case throughout our bicentennial celebrations. At other times, it is more appropriate that a simple greeting be forwarded by the Premier at his discretion to ethnic celebrations such as independence days. Such is the purpose of the resolution currently before us. I must say I am completely in support of that resolution.

As well, I want to answer one point raised by one of the New Democratic Party members at the beginning of my speech. It is unfortunate that those people continually keep painting themselves into that corner. That corner is, "If it is not done our way, then you are the enemy."

It is truly sad and that is one thing that is going to keep them in the third-party position in this province for years to come. It is that kind of mentality that, instead of lifting the tone of a debate, drags it down. It has a nasty edge to it and is certainly not seen by the people of Ontario to be complimentary or humanistic. They say they represent the humanistic values of this society, but they do not act like it. That is one of their problems.

The other point too, in discussing this committee—

Interjections.

The Acting Speaker: Order.

Mr. Laughren: Mr. Speaker, on a point of information—

The Acting Speaker: There is no such point.

Mr. Laughren: On a point of privilege—

The Acting Speaker: A point of privilege? There is such a point.

Mr. Laughren: I am confused then. The member is making a good speech, and I do not understand why anyone would call the member for Sudbury a hypocrite.

The Acting Speaker: I just do not know, and that is not a point to be considered.

Mr. Gordon: Mr. Speaker, I think the member for Nickel Belt pointed out one of his problems. He said, "I do not understand." That is one of his problems. He just does not understand that a Legislature like this is not in a position to decide whether the Sikhs or the Hindus are right; it is not the place of this Legislature to decide whether the Irish Republican Army or the British are right, and that is exactly the point of view the members opposite are putting forth in that debate they are so incensed about.

Mr. Rae: No, we were not. That is a complete distortion.

Mr. Gordon: The members opposite can say they were not, but if you listen to the member in the second row, you can see that is the case. It is so obvious how incensed they become. They do not want to hear the truth. The minute somebody says anything is truthful, either they say, "I do not understand," or they call that person a hypocrite. I cannot believe the names they persist in calling people.

Interjections.

The Acting Speaker: Order.

Mr. Gordon: I had thought they would have left those names back in kindergarten. I do not think enough Ivory soap was used in washing out some people's mouths when they were growing up. Nevertheless, I always find it delightful to talk to the New Democrats, because they are men of such good cheer.

Mr. Laughren: Are you a Liberal or a Tory?

The Acting Speaker: Order.

Mr. Gordon: I know what I am. The problem is that the member for Nickel Belt—

The Acting Speaker: The honourable member's time has expired.

Mr. Mancini: Mr. Speaker, I have reviewed the resolution that has been presented by the member for High Park-Swansea. I think quite a bit of thought has gone into the resolution. I know some of the background of the honourable member, I know some of the difficulties his family had before coming to Canada and I can see why he would want to bring such a resolution before the House. Some other members have already stated that this resolution deserves support, and I intend to support it.

I was surprised that the member for High Park-Swansea read his speech. I think this is the first time I have seen the member read a speech in the House. He may have been ordered to read his

speech, because sometimes the member wants to be faithful to his past and completely honest about the way he sees things, and sometimes when he is being faithful to his past and completely honest about the things he believes in and the way he sees them, he may on occasion have embarrassed the government.

I do not know why the government would be embarrassed by some of the subjects the member has raised. I have listened to those subjects. He usually talks about freedom for people who have been oppressed, for people who have lost their freedom, for people whose countries have been totally usurped and taken over and who have had their identity totally taken from them by superior military force.

If a member has strong feelings about those kinds of things, and we should have strong feelings about things of that nature, then I feel he should be able to speak his piece. The member for High Park-Swansea does not have to read his speeches. We understand how he feels about these matters. He should just let it come forth.

4:30 p.m.

I also want to say that several of the main points that have been discussed here were totally missed by my friend the member for Sudbury. I know the member for Sudbury quite well and we get along. The point the member for High Park-Swansea wanted to make and the contribution to the debate made by the member for Sudbury had no relation whatsoever.

Being born in a different land and coming to Canada with my family when I was a small child, I know what the member for Sudbury was saying. He was saying that in many communities across this great province there are significant ethnic groups, be they Italian, Portuguese, Lebanese, German, or whatever. They are many and they do add some colour and flavour. You can have some good pasta now in Ontario, whereas 15 years ago it was not possible. But that is not the point the member for High Park-Swansea was making in his resolution.

The member for High Park-Swansea was not talking about spaghetti and meatballs. He was talking about freedom. He was talking about rights of individuals. He was talking about religious rights, political rights and all the freedoms associated with having a government democratically elected and/or democratically defeated, depending on what the people choose on a particular occasion.

Let us raise the level of debate above the parochial level as to whether or not the Ukrainians wear the dress they wore in their home

country, which makes a parade very colourful. That is not what the resolution is about at all.

We want to support the member for High Park-Swansea in his proclamation that we have not spoken out enough in this Legislature on the rights of humanity. I understand that this is not the national government of Canada—it is the provincial government—and that in some ways our international role is limited. But we are parliamentarians in the true sense of the word. When we speak as a parliament, other states and other nations must listen because we are democratically elected under a system that cannot be perverted by people with power and money.

The resolution of the member for High Park-Swansea is important because it gives us this short afternoon to talk about the inhumanities some nations perpetrate on their citizens. We are appalled by these countries, no matter which superpower they support.

For example, if the regime in charge of Argentina was supportive of the United States in a military sense, that in no way, in my view, makes what they did right. The thousands of people who disappeared and were murdered in Argentina were not consoled by the fact that they were a friend of America or a perceived friend of the west. On the other side, there are other countries which do exactly the same, if not worse than what Argentina has done and they purport to be friends of Russia.

We have been caught, unfortunately, in a situation where the superpowers have entered this debate on freedoms. One superpower tells its friends: "Yes, they are our friends. Yes, they may have made mistakes and there may be no human rights in that country, but we must overlook that because they are our military friends and, who knows, some day we may need them." The United States and Russia have constantly done this, and it is about time that some of us spoke out about it forthrightly. We must speak out against injustice, against the loss of freedoms wherever they may take place, whenever we see that injustice or loss of rights taking place, whenever it happens.

It was mentioned earlier that there is a terrible problem in India concerning the cultural, historical and language backgrounds of the Sikh and Hindu populations. It is sad to see that happening, but it is happening.

We might want to inject our views of that matter into the debate, but I agree that it is very difficult to take sides. I could not take sides. I do not really understand or know all the problems. But in my view, the very fact that we speak about

this matter may contribute in some very small way to a solution.

Ontario has accepted people from all over the world. I live in a small town and we have been able to enter the mainstream of the population in jobs, through the educational system and through all the other social aspects of the community. This is not unique just to Amherstburg. This is unique to the whole province of Ontario.

We are a tolerant people here in Ontario. One of the reasons we are so tolerant is that we may have come from jurisdictions that showed little or no tolerance. Here, in this land, we want to show the tolerance to others that we ourselves may not have been able to receive.

I believe that is the intention of the member for High Park-Swansea. That is what he wants debated. He wants us to rise in our places and support the amnesty groups that want freedom for political prisoners because they have a different view of the world. He wants us to rise in our places and support different groups who believe a government has no right to starve a population for any political reason whatsoever. These are the serious issues of the day.

We cannot stand here in isolation and watch all other free states or nations lose their freedoms and think that may not happen to ourselves somewhere down the road. We must stand together with people who believe in all these freedoms for humanity. If we do that, then we strengthen our own freedoms.

Mr. Samis: Mr. Speaker, I want to speak in support of the motion. I congratulate the member for presenting it. His concern for the fate of minorities, especially in eastern Europe, and the fate of individuals under totalitarian regimes is well known. I think that concern is a very sincere one and I commend him for it.

In supporting the resolution, I share the concerns and the questions brought up by the member for Parkdale. I think they are very legitimate and the fears are very real. I hope the honourable member will address those questions in his response.

While the intent of the resolution is a high-sounding one, I think he would be the first to admit that there is a potential for political and partisan exploitation no matter who is in power and no matter in which jurisdiction. I hope he will address the fears that were raised.

The member for High Park-Swansea has spoken frequently about the rights of individuals in a democratic society. When we talk about the rights of individuals, we also talk about the rights of the people. To me, one of the fundamental

rights of any people on the face of the earth is that of independence, to rule one's own society and exercise sovereignty.

We in Canada are fortunate to live in a democratic society. Through the process of evolution, we have been able to achieve a fair measure of sovereignty and independence. Unfortunately, we are one of the few countries left in the world that can exercise the rights and privileges of a democracy.

Since the end of the Second World War, we have noticed a considerable increase in the whole scope and nature of independence in the world.

We saw the decline and fall of the British Empire, especially in west Africa and parts of Asia. Fortunately, it was a fairly evolutionary and democratic process with a minimum of violence in which dozens of nations achieved independence.

The same process took effect in the French empire, especially in the 1960s under de Gaulle when many of the states in western Africa achieved their independence. The same also applied to the few remaining legacies of the Spanish empire—

4:40 p.m.

The Acting Speaker: I thank the honourable member. His time has expired.

I recognize now the member for High Park-Swansea, who has six minutes 12 seconds.

Mr. Shymko: Mr. Speaker, I want to express my gratitude for the support I think I have from members opposite. It is unfortunate that the members for Parkdale and Etobicoke (Mr. Philip) are not here to listen to some of the comments I wanted to make in answer to the questions they raised.

I share a very deep sense of a principle that public opinion and the pressure of world opinion have a tremendous bearing in alleviating the plight of individuals and, collectively, groups who are in terrible predicaments in terms of violations of basic liberties and civil rights. Institutions such as parliaments and legislatures are very critical and have a great impact in helping these individuals and groups.

I am not here to comment on the Ombudsman's resolution, but I think we should work towards some kind of resolution that will be accommodating to all members. I am sure there is a middle ground we can reach. I am sure the reasons it was defeated may have been related to the fact the present federal government or the present party in power in Ottawa had made a number of public statements that once they had formed a government there would be the

establishment of a subcommittee on international violation of human rights within the standing committee on external affairs and defence. Statements such as these had been made. Whether or not that will be delivered is another question. I hope it will.

This Legislature can have an impact in looking at another resolution along the lines of asking that the federal government at the preferred level of jurisdiction establish such a subcommittee. It is unfortunate that we could not find a consensus. The resolution of the member for Riverdale and my views are well known both in the Ombudsman committee as well as outside the committee with respect to concerns I had with regard to the international violation of human rights.

I think we should continue our efforts in trying to establish, or to pass a resolution that would force the federal government to establish, some kind of a forum or framework to deal with this area of concern.

The member for Parkdale mentioned the nonpolitical nature. I think he knows me well enough to understand that my resolution is not partisan. Certainly the intention never had been partisan. It is unfortunate that he interprets this as being partisan in nature.

He does raise some questions. He was an alderman with the great city council of the city of Toronto and is well aware of the procedures the mayor had used in handling the requests for such proclamations. I know the member for Sudbury, who was the mayor of that great city in northern Ontario, had also followed certain rules and procedures. I think he is well aware of how these requests are handled. I would imagine that is what I would like to see the Office of the Premier do.

As to the appropriateness of which dates are to be selected, if the member looks at the publication of a calendar by the Ontario Advisory Council on Multiculturalism and Citizenship, he will notice dates and events that are publicly known that he and I and other members regularly attend. Certainly these are the anniversaries to which greetings are sent by the Leader of the Opposition, the leader of the third party and the Premier's office.

Obviously the anniversary of the liberation of Afghanistan by the Soviet forces as an independence would not be appropriate. One may have some reservations about the date of the Bolshevik revolution as a declaration of independence. What one talks about are declarations of independence based on the values, the system of government and guarantees of in-

dividual freedoms that we understand are similar to those that we share and cherish here in Canada.

There are other ways of highlighting this, in addition to a proclamation, as the member for Parkdale knows; receptions may be held, delegations may meet in the office of the Premier, and there are various additional ways.

Concerning the comments from the member for Etobicoke with regard to the situation in certain parts of the world and the representation from my constituent and the plight of her relatives in Chile, I would like to say that public opinion has restored democracies in formerly authoritarian regimes in such countries as Greece, Portugal, Spain and Argentina. There is hope that changes will occur in El Salvador, and I think this is because of public pressure. These changes happened, in part, because there was at least a semblance of some system in place in those regimes. I am very confident it will happen in Chile. We will see these changes occurring.

It is much easier for a dissident from Chile to go back to Chile today than it is for a dissident from the Soviet Union or some other countries. There are obviously levels of repression and one has to be careful not to discriminate against one particular form of oppression.

I thank members for their support.

TELEVISION IN LEGISLATURE

Mr. Bradley moved, seconded by Mr. Wrye, resolution 40:

That in the opinion of this House, electronic video Hansard should be installed in the chamber to provide coverage of all proceedings in the House in addition to that provided at present by the written and electronic media.

The Acting Speaker (Mr. Cousens): May I remind the honourable member he has up to 20 minutes to make his presentation and may reserve any portion thereof for final wrapup.

Mr. Bradley: Mr. Speaker, that such a resolution must be introduced at all in the autumn of 1984 is a sad commentary on the commitment to freedom of information on the part of the government of Ontario. One would assume every legislator in this House would recognize and respect the right of the people of this province to complete and free access to the deliberations which take place in the legislative chamber.

The arguments in favour of the implementation of electronic video Hansard in the Legislative Assembly of Ontario are many and compelling. The arguments against such an initiative are clearly self-serving on the part of the government and without merit with respect to

providing the maximum information to viewers in order that they might have as much access to the legislative process as possible.

While the freedom-of-information argument is perhaps the most important to be advanced in favour of my resolution, other reasons for the adoption of the proposal I have put forward are significant and deserving of consideration. In this regard, I am fortunate to have had the assistance of a legislative intern, Lorraine Luski, who wrote her internship paper on this subject after doing extensive research on my behalf. She has marshalled some rather interesting quotes and information on the issue, and I will be taking the liberty of utilizing some of this material in the next few minutes.

Without a doubt, the present system, with its limitations, works clearly in favour of the government in power. Television coverage is weighted heavily in favour of ministerial statements and replies to questions posed by the two opposition leaders. Little coverage is provided for government back-benchers or individuals on the opposition benches, other than the leaders, even though the questions asked by such individuals may be of regional or even province-wide significance.

On countless occasions, the member for Sudbury East (Mr. Martel) has drawn to the attention of the Speaker the dismantling and the disappearance of television cameras midway through the question period as though no further significant interventions could possibly be forthcoming subsequent to ministerial statements and the opposition leaders' questions.

Yet surely the people of Fort William or Kirkland Lake or Cornwall or Wingham have a right to view their problems and issues being addressed by local members or by opposition critics in specific fields. Surely the residents of all 125 constituencies in Ontario deserve the opportunity to observe the legislative performance of their own elected representatives, to assist them in making judgements and choices on election day based upon more than the member's ability to cut ribbons, tell after-dinner stories and get birth certificates in short order.

4:50 p.m.

The installation of three or four permanent television cameras to supplement the coverage provided at present through the mobile cameras located in the Speaker's gallery would provide comprehensive, unfettered and fair coverage of the entire question period and other legislative proceedings, the kind of comprehensive coverage that simply cannot be provided when most of

the cameras are removed, as they were a week ago Tuesday, after only 27 minutes of question period.

These cameras would focus exclusively, as they do in the House of Commons and in the Saskatchewan Legislature, on those participating in the debate rather than abandoning the leaders of the opposition in mid-question or mid-sentence to cover a grand entrance by the Premier in his Argonaut sweater, an entrance carefully orchestrated by his two assistants who stand on the sidelines with supercilious grins on their faces, having succeeded once again in diverting attention from important and serious issues in favour of the colourful frivolity of the Premier.

In her internship paper, Ms. Luski included a rather appropriate quote from an article entitled "Camera Shy in the Senate," which appeared in the May 15, 1984, edition of the *Boston Globe*. In describing the advantages of television in the coverage of legislative proceedings, the *Boston Globe* story stated: "Television is an opportunity to go over the heads of reporters and allow legislators to communicate directly with constituents. The unblinking eye of television does not pick the juiciest quotations out of context, does not emphasize conflict beyond what actually happens, and does not insert a lot of colourful adjectives that tilt stories one way or the other."

While one would be unwise to advocate the replacement of the present electronic video coverage with the kind of television coverage contemplated in the *Boston Globe* article—and a careful review of the wording of my resolution will reveal no such motive on my part—it would be advantageous to supplement the present coverage with the electronic video Hansard that I have advocated, to allow viewers to form their own interpretations and to do their own editing.

Observers of the federal parliamentary scene contend that televising of the House of Commons has had a favourable effect upon the behaviour of MPs and would likely have a similar effect on MPPs. Morris Wolfe, writing in the January-February 1978 edition of *Saturday Night* magazine, sensed, "One no longer sees members reading newspapers or doing crosswords in the House...there are fewer yawns...questions and answers are becoming more direct and concise."

It may be fairly assumed that all of us would conduct the business of the House in a more refined and courteous manner, that there would be better concentration on the issues before the Legislature and that attendance would improve if my resolution were to be acted upon favourably by the Board of Internal Economy.

It is often said that Canadians do not have as much knowledge of the legislative process and the workings of government as they should have in order to make political judgements and to influence their representatives in a positive and measurable way. The televising of the proceedings of the Ontario Legislature by TVOntario and by other networks that might be interested could result in an increased awareness of the legislative process and a better understanding of the issues with which legislators must deal.

Former federal cabinet minister Robert Stanbury argued, "Our democratic institutions are more important to us now than ever before, yet in an age of 'total information,' many of us are not aware of how our parliamentary institutions work." Having watched the televised proceedings of the United Nations Security Council sessions on the Middle East crises and the United States Senate committee hearings on Vietnam, Stanbury contends that, by observing the complex and sometimes agonizing process where serious representatives search for solutions to nearly insoluble problems, perhaps the public will realize there are no easy shortcuts to pressing issues. Moreover, by observing this rational, thoughtful process, the public will resist demagoguery and approach public decision-making in a more thoughtful, informed manner.

Those of us who sit in the provincial House understand only too well—and this can be shared by members on both sides of the House—that provincial issues are almost always relegated to second or even third place behind the federal and municipal issues that arise. The recognition level of the opposition leaders and even the government cabinet ministers is quite low in comparison to those on the federal stage. Yet the provincial government affects everyone in a direct and important way. Full televising of our provincial parliament would allow viewers to become aware of the significant role played by provincial legislators in their lives.

One concern that opponents of this initiative have expressed is that no one would watch the proceedings. According to former House of Commons Speaker James Jerome, however, since television was introduced into that chamber, the audience has been substantially higher than even the most optimistic members anticipated. As he says, "One audience measurement taken during the constitutional debate was about 750,000, half the size of the audience measurement for the national news, and considered to be a phenomenally high rating for that sort of presentation."

The implementation of my resolution would help to solve some purely technical problems as well, in regard to the poor quality of sound and picture available through the present setup, a situation that is caused to a great extent by the location of the cameras.

Orland French, in a *Globe and Mail* column of November 30, 1982, described the quality of the picture produced as being, and I quote from his column, "reminiscent of the 1950s." He went on to say, "The cameras get a good profile of Premier Davis and Mr. Peterson, but views of MPPs close to the Speaker's gallery are a study in balding heads. MPPs immediately next to the gallery are lost entirely as they are directly under the cameras."

What I am proposing is the lowest-cost, automated electronic video Hansard available in Canada, modelled along the lines of that which has been adopted by the Saskatchewan Legislature, a system that cost that province \$1.3 million to install and costs about \$250,000 a year to operate. I am suggesting that TVOntario, the Ontario educational network which covers, I believe, 92 per cent of the province, be the main vehicle for this programming as it is in this province for the question period from the House of Commons.

Of course, members opposite will find it ironic, as I do, that the House of Commons is carried on the educational television network of Ontario and the provincial Legislature is not. Cable systems, networks and local television stations would be welcome to the service provided by the electronic Hansard.

I understand the reluctance of the government to see this measure implemented as it would focus attention on provincial issues and on members of the opposition.

The Canadian Broadcasting Corp. cameras installed especially for the Treasurer's budget address and removed for the two opposition critics would remain, as would the opportunity for the opposition viewpoint to be heard. I am referring, of course, to the permanent camera installations that were here and are always here at a time that is appropriate for the government, such as the speech from the throne and the budget speech.

I understand the reluctance. It would be less than justified, however, to have the same government that spends \$50 million a year on advertising and uses every other modern technological tool associated with communications, including extensive taxpayer-paid polling, oppose a progressive measure designed to bring

fairness and balance to the legislative process and provide the kind of freedom of information about which the government talks but does little to implement.

While the reluctance of the government to approve this initiative is understandable, what is disconcerting is the opposition of some members of the press gallery and the representations made to the Board of Internal Economy on behalf of this group.

I understand the concern expressed by television reporters that the installation of permanent cameras for the purpose of an electronic video Hansard might prompt the government to suggest the removal of the mobile cameras. Members will note that my resolution calls for the electronic Hansard to be a supplement to their coverage, not a replacement for them. I hope this resistance from those upon whom we rely to inform the public will disappear and be removed as an excuse for government inaction on this issue.

Perhaps a piece written by freelance columnist Eric Dowd captures the issue as well as any column I have seen on this issue. Let me quote from his article of June 29, 1983. According to Mr. Dowd: "Cameras do lie, frequently. Most days in the Ontario Legislature there are cameras from eight or nine television networks or stations taping parts of the proceedings, but it would be difficult to claim they provide a comprehensive, and therefore accurate, picture of what goes on."

"The TV reporters, as competent as anyone else in their journalistic trade, are looking for what they regard as news stories, preferably an average of two, to send to their employers each day. The requirement is filled mostly by statements, or responses to questions, by Premier William Davis and his ministers—the concentration on what the government says can normally be justified because it affects and is of interest to people."

5 p.m.

"The stories generally have to fill between 30 and 75 seconds—anything much over that, except in special circumstances, is held to be too long to hold an audience. Once government has told its side, there is obviously not much time for a word from the opposition, although some reporters do their best to get in an opposition comment."

"TV is normally not much interested in the frequent nonanswers Davis and some of his ministers give—beating around the bush is difficult to make into a quick story. Nor does TV normally take much note of a minister caught poorly informed or stuttering and stammering in

his search for a reply (except when he makes an awesome gaffe). This is simply not much of a news event compared to some positive-sounding government announcement."

"TV also has the technical problem of having to rush its equipment out into the corridors before the daily question period ends, mostly to catch ministers leaving, which means it usually grabs what it wants from government statements and the two opposition party leaders' questions and government responses, and is on its way. Back-benchers, who follow the leaders and occasionally ask better questions, are not seen much on TV."

"The opposition parties have long wanted to do something about the unequal showing they get and have been pushing to get the whole of the question period, instead of small excerpts selected by the news media, taped and broadcast daily on the province's educational TV channel, which already carries the daily Commons question period."

"TVOntario would be glad to broadcast it each night, before the show from the Commons. It also feels schools, individually, would want to tape the night-time question periods and show students the parts they consider to be of interest."

"Davis and his inner circle have always been extremely lukewarm to the full question period being broadcast—apart from genuine reservations about cost, the Conservatives know they have nothing to gain from a more thorough TV coverage that would inevitably increase the small platform now given the opposition."

"The staff report proposed the Legislature allow TV stations to take excerpts they want from its tape, but at the same time move out their untidy, noisy nest of cameras which now takes precious space in a Legislature gallery that used to be occupied by VIPs—and government spokesmen echoed that, if the Legislature put in its own cameras, the TV stations would have to move out."

This, of course, was in response to a civil service report which was brought forward, I believe, to the Board of Internal Economy.

"The Legislature press gallery objected strongly to being asked to move—justifiably, because the Legislature tape (as in the Commons) would show only legislators speaking, and never heckling or demonstrations in the public gallery, or MPPs dozing or scratching their noses, or other events legislators feel do not show them in their best light."

"The press gallery went further and opposed the Legislature even setting up its own cameras

on the ground that—even if the TV stations were allowed to keep cameras in—some of them are so penny-pinching they would grab the free official tapes and withdraw their own cameras to save money and would wind up with less objective TV coverage.

“The government could have said the Legislature will tape the question period, but the TV stations’ cameras can stay, and hope they would. But instead it is saying the issue of putting the question period on TV is dead and citing the opposition of the press gallery. A proposal which would have provided a worthwhile new insight into the Legislature has been sunk, ironically, with the help of the media.”

That ends the quotation from the column which was presented by Eric Dowd in a syndicated column across the province.

It is said as well, and I believe I saw this in the Camp commission report, that there is a movement towards executive power in the province. Members who are sitting in here, as I look in the House, are not those who are in the position to exercise that executive power, instead they are individual legislators who have a stake, I believe, in making this particular chamber more relevant to democratic government in this province.

My motion, of course, if adopted by this House and acted upon by the Board of Internal Economy, would have some effect in reducing slightly the dominance of the executive position of government and increasing the relevance of the Legislative Assembly.

Let us hope my resolution will not meet the same fate this afternoon as was described in the article by Eric Dowd. Let us hope this government will recognize its responsibility to the people of Ontario, as the legislatures and state senates in 35 states and the national Congress have done in the United States and as the governments of Canada and some of our provinces have done so aptly.

As Speaker Jerome stated so well in summation: “Democratic government means government in view of the public. In present-day society, this means television, for television is the medium through which the public sees major events.”

If this government defeats this resolution or if government members prevent this from coming to a vote this afternoon, the people of Ontario can justifiably ask the question, “What do they have to hide?”

The Deputy Speaker: The honourable member has a little over a moment remaining, I believe.

Mr. Martel: Mr. Speaker, in response to what my friend across the way said, I want to suggest it was his whip who signed a report in 1976 endorsing the installation of television in this Legislature, and so did all the Conservative members on that select committee.

I want to remind my friends in the Legislature that in 1975 Donald Morrow, chairman of the select committee on the Camp commission on the Legislature, said, “To reiterate, we are convinced that it is past time when the Ontario Legislature should have television.” The committee said, “This committee cannot impress too strongly upon the Speaker’s committee the importance of proceeding with some dispatch to assure the complete and satisfactory provision of facilities.” That was in 1976.

The installation of the equipment we have was temporary at best. At one time, it was a fire hazard. To date, it has not been improved at all. The select committee twice reaffirmed its position on television in the Legislature. To date, it has been of no avail.

What Camp and Morrow saw was that it would enhance the role of the private member. One of the things Camp looked at was enhancing the role of the back-bencher. Obviously the back-benchers on that side of the House do not see themselves as having any role and prefer not to have the television cameras in to show how totally useless they might be.

Mr. Robinson: Oh, imputing motive.

Mr. Martel: The back-benchers must not want a role because they are the ones who keep it out.

If one looks at the archaic system up there, it focuses on the Premier (Mr. Davis). One almost needs binoculars to watch the Premier on television. I suppose he has at least a half-decent focus compared to my leader, whose head is constantly behind the camera if he is facing the Speaker. None other than the Solicitor General (Mr. G. W. Taylor) has complained on occasion about the fact that the only shot that goes is the back of his head.

Mr. Wildman: That is his good side.

Hon. G. W. Taylor: That is not a complaint, just a statement of fact.

Mr. Martel: Yes, it is a statement of fact. I am always intrigued when question period starts. The cameras are on. Halfway through, the Premier leaves and everybody from the press gallery on this side is gone. There is no one left. If we had an installation on both sides, the proceedings would continue.

Many companies in northern Ontario cannot afford to have someone down here for television coverage. It is too expensive and costly to place someone here. They could pick up a feed from the video whenever they wanted. It would all continue to be shown despite the fact the people from the press gallery might want to go out to get a direct interview, to learn more than what was stated by the Premier or any ministers in the House.

I cannot understand what is wrong with that. I do know the government is bitterly opposed to it. The government House leader talks about it costing \$5 million, when he knows the Speaker from the Ontario Legislature went to Saskatchewan and there is a report on file that says the installation is about \$1.3 million for the most up-to-date equipment. They fly around with \$5-million figures deliberately to try to convince people we should not have it.

Mr. Robinson: It was \$6 million in Ottawa.

Mr. Martel: No. The member for Scarborough-Ellesmere should not play around with the Ottawa experience. That was before the technology even came out. After I sit down, I will send the member the report that was presented to the members of the Board of Internal Economy showing what the cost would be. Then he will know.

Mr. Robinson: I would be pleased to receive it. Thank you.

Mr. Martel: Then he will not come here with that silly argument.

Mr. Robinson: I did not. I told the member what the price was in Ottawa.

Mr. Martel: What has that got to do with here?

Mr. McClellan: Nothing.

Mr. Robinson: Okay.

5:10 p.m.

Mr. Martel: Part of the whole television thing was sent out on an experimental basis. It was supposed to be temporary in nature, but it has now been nine years.

On one occasion one of those cameras almost fell. Luckily, it was grabbed. It could have killed one of the pages or injured one of the members. It is an archaic system. It is out of date and the members and I know it. The only conclusion I can come to is that the government is afraid it will bumble, that it will look bad and that it will look stupid. It cannot tolerate that. If that is not the reason, it will have to come up with something substantive, and it cannot.

The press gallery helped to defeat our getting television here. When the people in the media came before the board, we told them there was no suggestion those cameras would ever come out. They chose to ignore that. They were given assurances by my friend the member for Brant-Oxford-Norfolk (Mr. Nixon) and myself that there was no intention to remove them from the gallery. There are other people interested in this—

Mr. Nixon: Remember, they will not allow any cameras over the Speaker's chair either.

Mr. Martel: None is allowed over the Speaker's chair where one could get a shot at the members at this end. No way; they do not want it there. However, it is good over here because it gets the Premier.

It is interesting that the Ontario Secondary School Teachers' Federation has written to the Premier to suggest that television is needed. What better means is there to teach kids what goes here than by using TVOntario? We contribute in the neighbourhood of \$40 million a year to TVOntario. It reaches almost the entire province. High school teachers could be using it daily for Man and His World courses and elementary teachers could be using it daily for social studies classes in teaching what our parliamentary system is all about.

I am sure other members still get letters, as we do, from people thinking we are in Ottawa. They do not know which legislature it is. They do not know how it operates or functions. The Premier is always worried. Look at what we spent during the bicentennial year to get across the message about the history of Ontario.

What better way could there be than to use the Legislature from which all the legislation, the debates, the current issues, everything emanates? That little group over there has decided it is not good for the people of Ontario to see it. There is something perverse about what they are doing.

I would like to see somebody over there have a little courage. I invited the whip to come in and speak on it since he voted to support it. After a while, I suppose he will be whipping the members to defeat the motion or to veto it and not allow it to come to a vote. When he was on the back benches, he thought it was great for back-benchers. Now that he is in the cabinet, it is not so good.

In northern Ontario, most of the stations cannot afford to have a camera in the Legislature full-time. They could pick up on the feed. I spoke to some people in the media back home in the last two weeks. They would love to be able to pick it

up and show it, but they cannot get it. One has to pay for it at a high price.

Only six or seven people can afford to have cameras here. One cannot put someone here from Sudbury, Timmins, Thunder Bay or eastern Ontario. It is an injustice to the people. It is an injustice that it does not go into the schools. We put up the money, or a major chunk of it, for TVOntario. We have the network to utilize it. The game those people are playing is just awful.

There is another thing I found offensive in the past couple of weeks. I saw the Provincial Auditor's book. We used to have television so that a member could send a clip home. You could send a 15-minute program for cable. But it was too expensive for the government to pay Rogers to produce it here so we could send it to our ridings.

What did those jokers do? They turned around and used \$90,000 to buy their own equipment to send it out. Is that not wonderful? They took the money from the Legislature that was going to be for all of us to benefit from and cut out the program because it was going to be too expensive. Then they turned around and bought almost \$100,000 worth of equipment so the Tories could have it.

Mr. Stokes: Where did they get the money?

Mr. Martel: They used it from their fund, because they have so much money left over they do not know what to do with it—almost \$100,000 to send back to the ridings of the members opposite. Just what the hell is going on around here? Is the government that perverse or that frightened of some bad publicity?

Mr. Treleaven: Mr. Speaker, first in answer to the member for Sudbury East, I for one did not use it. I do not think the majority of the Progressive Conservative members used whatever television facilities there are when the service was paid, free or otherwise.

I will carry on with my notes. The concept of a video Hansard for the Ontario Legislature has been discussed since the early 1970s, as my friend the member for Sudbury East mentioned. Many arguments have been made for and against it, and the member for St. Catharines (Mr. Bradley) has reiterated many reasons for it. However, no consensus among the members has yet been reached, and this is 1984.

There are four main considerations on this topic.

Mr. McClellan: I will bet there are.

Mr. Treleaven: Yes, certainly. The first is the technical feasibility. That is the first area of concern.

Mr. McClellan: They have not invented a TV camera that will work in here.

Mr. Treleaven: There are a number of different types of systems that have been installed in other jurisdictions to provide coverage of legislative proceedings.

Mr. Bradley: Saskatchewan.

Mr. Treleaven: Saskatchewan, Quebec, the federal government. Yes, all of those.

Mr. Martel: I want you to read that. Never mind your nonsense about technical feasibility.

Mr. Treleaven: Mr. Speaker, I am being hassled by the member for Sudbury East. The member for Sudbury (Mr. Gordon) was much more subdued and unprovocative when he was speaking on the previous resolution. I hope the member for Sudbury East will follow his example.

The type of system installed has differed in the various jurisdictions because of the physical layout of each legislative chamber, the kind of coverage desired and the amount of money spent. It is apparent that no one system can be universally applied, nor has any system demonstrated itself to be technically superior when the resulting products are compared.

Each legislative chamber must be considered individually when discussing the technical feasibility of installing a permanent video Hansard. In the Ontario chamber there are a number of physical constraints that could make the installation of certain systems very difficult and costly. Additionally, the maintenance of the historical value and appearance of the chamber, which should be of prime importance, could also limit the feasibility of certain systems.

If one looks at the setup in Ottawa, the cameras are behind the curtains or in the breaks between the curtains; they are not at all obvious. We do not have any curtain system in this Legislature. What we will end up with is a bunch of cameras behind us, as we have at budget time, with somebody cranking away behind the back benches.

Mr. Barlow: It is distracting to us back-benchers.

Mr. Treleaven: It certainly is. Consequently, any video Hansard system that might be installed must be designed specifically for this chamber, and it has not been satisfactorily demonstrated that a system could be designed that would produce the quality of product necessary, given space constraints, that would maintain the structural integrity of the chamber and that would

be unobtrusive and minimize disruption to the members and staff of the assembly.

The second area of concern is the administrative setup. We have heard today of the \$1.3-million setup in Saskatchewan and also the \$6-million cost—I would defer to my friend the member for Scarborough-Ellesmere; my information is that it would be between \$4.5 million and \$5 million—in each of Quebec and the House of Commons.

Mr. Rae: Somebody blow out the candle over there. They have not invented electricity yet.

5:20 p.m.

Mr. Treleaven: No, in Oxford we have gone down to coal-oil lanterns. We have gone way past the candle stage.

Even though those other, more expensive systems were put in ahead of the Saskatchewan one, members might note that in Ottawa it takes a crew of 41 to operate the system. That is terribly expensive. In the Quebec National Assembly it takes 39 permanent and three part-time staff to operate its cameras and equipment.

It is unclear what type of arrangement would be preferable for the chamber here in Ontario. There is also the problem of distribution of the final product to consider.

Mr. Martel: TVOntario.

Mr. Treleaven: My friend the member for Sudbury East talks about TVO. The member for St. Catharines suggested TVO or some other network might be interested. At this point, we do not know whether anyone is interested in carrying it.

Mr. Martel: Mr. Speaker, on a point of order: That is not factual. There have been presentations made by TV companies to do it; so that is nonsense. The member should look at what Rogers offers.

The Deputy Speaker: Order. The member for Oxford (Mr. Treleaven) is giving his opinion. I distinctly remember the member for Oxford was most attentive while the member for Sudbury East was making his presentation.

Mr. Martel: But I did not try to misrepresent the facts.

Mr. Treleaven: Nor did I interrupt when the members were speaking.

Mr. Martel: I did not try to misrepresent the facts.

The Deputy Speaker: Order. I am sorry to take the member's time, but the member for Sudbury East has an obligation to the House to withdraw that remark, please.

Mr. Martel: No. I said, "I did not try to misrepresent the facts." Check the record.

The Deputy Speaker: We were flirting with it earlier.

Mr. Martel: I will withdraw it if it is offensive.

The Deputy Speaker: Thank you very much.

Mr. Treleaven: Mr. Speaker, it would be my suggestion that trying to misrepresent the facts would be even worse than misrepresenting the facts. However, that is just an aside.

The third concern is the perceived need, which is perhaps the most controversial aspect of this issue. The arguments for such a system were outlined ad infinitum by the member for St. Catharines, but the arguments against it are several. Lack of interest on the part of the public to view live coverage daily is one of them.

The member for Sudbury East talks about the myriad of constituents who get in touch with him. That may be because they are on the Pickering and French rivers and they have nothing else to watch except game shows on TV. I have a place on the Pickering River, and I watch TV up there; so maybe I would be interested in it if I were there. However, in nearly four years of being a member, I have not had one letter or phone call from any constituent asking for Instant Hansard or TV coverage. It certainly is a nonissue in Oxford.

An hon. member: And the Pickering River.

Mr. Treleaven: It certainly is a nonissue in my section of the Pickering River and certainly not required or requested.

The member for St. Catharines mentioned that the Legislature should do its duty to the people of Ontario. I would suggest that we would do our duty by listening to them and listening to the silence out there in requests for Instant Hansard.

Another thing that was mentioned by the member for Sudbury East was that we should use it as an educational tool in the schools and educate the children with what goes on in here. It would be really great if we educated them with the gestures we saw here about a week and a half ago. That is great education to show the kids. They can get those gestures in the pool rooms of Oxford and everywhere else, but I do not think this is the chamber where those should be seen. We all learned things in the pool room that we do not necessarily bring everywhere else.

Mr. Martel: What about the language of a cabinet minister? He suggested I do a biological impossibility.

Mr. Treleaven: My eyes are much better than my ears.

The fourth concern is cost. We have talked about the cost. At this point it is unknown. I have not heard either the member for St. Catharines or the member for Sudbury East refer to the actual cost. They keep pumping up the cost of Saskatchewan several years ago.

In summary, this resolution is understandable in so far as it recommends that the government institute a service that may benefit some of the citizens of the province. Since I am running out of time, let me suggest that this resolution should not be supported. It has too many questions that are unanswered, such as cost and interest in the public.

Mr. Wrye: Mr. Speaker, I rise to support this resolution and the long-overdue installation of electronic Hansard here in the Legislature so the people of Ontario can receive all the news that the journalists believe is newsworthy in each and every market of Ontario.

I stand in my place this afternoon as a television producer and a former journalist to tell my friend the member for Oxford in no uncertain terms that the proposal is technically feasible, the product can be distributed, there is a need and the cost can be held down. Those, I believe, were his four points, but I want to get into them just a little bit.

Concerning technical feasibility, as my friend the member for St. Catharines has pointed out, there are absolutely no problems with technical feasibility on a short-term basis with the Treasurer's budgets, the speeches from the throne and other special occasions. A crew will obviously have to be brought in, probably from the Canadian Broadcasting Corp., whose lighting people are considered to be among the best in North America, to light this Legislature properly and to worry about the location and proper installation of cameras. But that is a minor matter, which could probably be overcome in a matter of weeks.

Concerning the distribution of the final product, I am stunned that the member for Oxford does not realize, coming as he does from an area just to the east of London, that each and every day of the week at 4:30 and 5:30 p.m. there is a feed of pertinent material to all the CBC owned-and-operated stations, to all the CBC affiliate stations and indeed to the CTV affiliate stations so those people may watch that pertinent material at six o'clock in the evening.

Let me give my friend an example. Today a very important matter was raised about the

closure of a plant in northern Ontario. Presumably that matter has reached the confines of the newsrooms in the immediate area. It would be no great matter for the statement of the minister, the exchange among the member for Essex South (Mr. Mancini), the member for Nickel Belt (Mr. Laughren) and the member for Lake Nipigon (Mr. Stokes), and the answers of the Minister of Labour (Mr. Ramsay) to be fed out for inclusion as part of an overall package on the six o'clock news on this very distressing news for northern Ontario.

There is no problem with that. It is up to the networks to decide and to put it together. They have managed to do it in Ottawa and in Quebec City. The material in the Quebec National Assembly is fed to literally dozens and dozens of stations on a very local and daily basis.

5:30 p.m.

Concerning perceived need, I want to challenge my friend. I was the executive producer of the supper-hour newscast in Windsor, and one of the most frustrating things I had as a journalist, not as a partisan politician, was when something important happened in the Legislature concerning my own community.

I was left to call Toronto frantically, hoping without much hope that perhaps the CBC Toronto cameraman had turned on his camera at the appropriate point to get that very important Windsor story, and finding out most days that he had not.

Then I would get on the phone and try to arrange to find out whether the appropriate member or another member from the Essex county area would be returning home that evening, so that we could perhaps have him appear live on the late news.

Finally, we would try to arrange a telephone hookup or, if the story were big enough, some kind of hookup between CBC Toronto and CBC Windsor.

As a former journalist, I can tell the members that there is a perceived need to cover this place just as there is a perceived need—

Mr. Barlow: By whom?

Mr. Wrye: By the public. There is a perceived need to cover this place just as there is a perceived need to cover Ottawa and the municipal area.

With respect to cost, the costs are what we want them to be. We can have the Cadillac of electronic Hansards or we can go the Ottawa-Quebec City route. We can go to the other extreme of the Saskatchewan route—it probably is an extreme and is probably as far as one can

go—or we can begin to marry them and go somewhere in between. However, I tell my friend opposite that in terms of some of the other moneys we spend around this place, the cost is relatively minimal.

Knowing this debate was coming forward, I stayed up the other night to watch most of the TVOntario replay of question period from Ottawa. As an Ontario legislator and a resident of this province, I was treated to important matters, three from Newfoundland, two from Manitoba, three from Quebec, along with two or three matters of general national importance and a couple of Ontario matters.

Today in question period, as an Ontario resident, I heard a number of important matters discussed that were of province-wide and local or regional concern. It seems to me it would be much more appropriate and much more important for the audience that watches TVO every night to be getting a replay of question period from Ontario than of question period from Ottawa, although I have absolutely no objection to them getting both.

I also want to talk a little about the educational value. My friend the member for St. Catharines talked about it. I think it is very important. We talk a lot to ourselves about how important this place is and how important our democracy is. I listened to part of the debate on the previous item. Implicit in that previous item was the importance of our parliamentary democracy.

However, we are not making any effort and we are seeing the results—I mean this in a non-partisan way—with respect to the public's perception of us and the public's participation at election time. We are seeing the results of a public grown cynical about us. It is important for all of us. If we think we are about important matters in this place, and if we do not always carry ourselves with total decorum—perhaps we do not, as my friend the member for Oxford has pointed out—maybe that will change as well.

Electronic Hansard in this Legislature would tell the public a little about how this institution works. Surely that is important. Surely in 1984, with democratic institutions under attack the world over, that is an important fact. It would give the general public an insight into the process of question period, into the process of debate and, as I pointed out, it might ultimately improve the decorum in this place.

I commend my friend the member for St. Catharines for providing an important proviso in his resolution about the electronic Hansard in this assembly being an extension of the present

electronic facilities that are available. I am under no illusions that we will have eight or nine cameras. However, one of the matters I always opposed as a journalist, and I continue to oppose today as a legislator, is that the total video feed from this place should be under the control and in the hands of Mr. Speaker.

I believe that a free, unfettered press should have the right to make a few of its own judgements once in a while, whether it is a little unpleasantness aimed at an individual member who may deserve it or whether it is the unpleasantness we saw as recently as last Thursday in the gallery. That is a part of this process. It is a part of this place. One of the things that always disturbs me a bit about Ottawa is that whenever that kind of untoward incident occurs, we lose the coverage provided from that place.

Finally, one of my friends said today he really thought the debate on Tuesday night last was great. He said, “I came in and sat in my place and a real debate broke out.” I hope in the weeks and months to come that on those occasions when a real debate breaks out, the people of Ontario will have the opportunity to see it and see this Legislature in action.

Mr. Rae: Mr. Speaker, I wanted to get in on this debate and I am speaking as a private member. I think I am correct in saying that I am one of the two private members in the House—the member for High Park-Swansea (Mr. Shymko) and I served together in Ottawa—who have been subjected to this process of having every word recorded on video cameras.

I am not going to speak in a partisan way because it is not a partisan issue; there are some real advantages to it from the point of view of everyone. When I say “everyone,” I mean and include the press gallery, the government and members of the government party, private members and those of us who as political leaders or as cabinet members may have some particular points of view.

First, what are we all interested in? All of us are interested in the business of communicating with one another and with the public. For one to pretend today that television is not one of the key ways of communicating with the public is just to put one's head in the sand. Television is a very important medium. It is a medium we have to learn to work with and respect, and it happens to be an important one.

We could look back at the early debates about whether we should even have Hansard in this assembly; and let us not forget it was not until the 1940s that we took our work in this assembly

seriously enough to have a written Hansard of what happened.

When I was first elected here, I wanted a copy of some budget speeches from the 1930s just to see how they compared with the views of the then Treasurer in 1982. I suspected they would be about the same. They said they were sorry, they could not get them for me because they never kept a record of them. It might have been quite useful to see just how close the parallel was. That is true.

What is the debate about today? It is partly a debate about camera angles. I do not mind saying that I suppose I am the political leader who gets the worst of the deal in terms of the camera shots. People ask whether that is all I am worried about. I do not mind saying it is something to which I object. If we on this side of the House are interested in communicating with the public, it puts us at an unfair disadvantage. That is a fact. It would be foolish of me not to state that fact quite bluntly.

However, it is not just a question of camera angles; it is also a question of our being able to provide the best possible service, not just to the public but also to the press gallery and to all the media of communication throughout Ontario. The member for Windsor-Sandwich (Mr. Wrye) has dealt with that from his point of view as one who had to work in Windsor with the disadvantages there.

I want to speak very directly to the members of the press gallery, because I know there have been views expressed, and they expressed those views to the Board of Internal Economy at one time. I want to say to them that I do not think there is any need for conflict with those of us who think it is important to get out of the Tin Lizzie stage of communication in this Legislature and try to move into the latter part of the 20th century in which we find ourselves.

It is in everyone's interest for journalists to be able to choose and to exercise the choice. In a sense, journalists decide what is news. I recognize that as a politician; that is the way it is. They decide which stories they are going to run. They decide which stories they are going to print. That is their right. That is the choice in exercising journalistic integrity which we as politicians have to respect.

5:40 p.m.

I am suggesting that we at least let that choice be made from the fullest range of material available, that we at least let that choice be made in the light of all the information being presented

instead of the very difficult choice with which journalists are presented.

I do not criticize members of the gallery on my left who work with television cameras for leaving the House when the Premier leaves in order to get out of the Legislature. That is news. That is the way in which they are going to get a better angle. That is the way in which they are going to follow the story. They have no choice. Speaking as a private member, I fully respect that. I am not going to be critical of people who decide they have to follow their story and that may mean leaving this place. That is a choice every journalist has the right to make. It is a choice they have to make.

However, would it not be in everyone's interest if they also had a floating camera and the ability to go around and shoot in the scrum? They do that in Ottawa. There is not a network in Ottawa interested in communicating with the public that does not have several camera crews ready when a member comes outside the door, doing the same kinds of scrums in Ottawa as we have here. The process of scrums in following those stories is not going to change, it is going to be exactly the same.

All we are suggesting, and I think it is an important suggestion, is that there be the option of choosing exchanges, on a recorded Hansard basis, which gives each member the right, so to speak, to a decent camera angle and a decent opportunity to communicate directly with the public.

People say there is no interest out there, there is no demand. That is an incredibly arrogant view on the part of the members who have expressed that. I heard the member for Cambridge (Mr. Barlow) express it. I heard the member for Oxford express it. That almost amounts to a willingness on their part to suppress information, to suppress news.

Suppressing the presence of decent cameras and 20th century technology in this Legislature amounts to a determination to suppress the ability of the public to choose and the ability of the journalists, not only in the gallery but throughout the province, to choose from the most contemporary technology available.

I would like to make two other points in the very brief time I have available. At the same time as this government engages in this sort of direct suppression, it spends millions and millions of dollars—indeed \$20 million—on advertising. The Ministry of Agriculture and Food has its own newspaper. Did the ministry ask all the farmers in Ontario whether they wanted a newspaper

before it was sent out to them? Of course not. One has to raise that question.

This issue should be of interest to all private members; for example, all of us have cable channels in our ridings. Speaking from experience, as a private member, it is a very good service. I can call my cable company and say, "Here is a copy of a speech I gave on the Constitution," or whatever the issue happened to be. "Would you like to run it?" Sometimes they say yes and sometimes they say no. If they say yes, it is a very useful way for a private member to communicate with the public, to give that sense of what is going on. That does not just serve the interests of people on this side. It serves the interests of people on that side who are interested in communicating with their membership, with their public, in a modern way.

My final point—and I do not think anyone has made it yet—is that Toronto is the telecommunications capital of Canada. We are at the centre of some of the most exciting developments in technology in this country, perhaps in the world. The CBC has the most outdated plant, in terms of physical plant, when compared to any other place. One can go to Regina, Winnipeg or any other capital and one cannot compare the situation facing us here. That is an illogical situation which I do not understand.

I do not understand why this government does not want to make this Legislature a talking point for people who want to see how effectively, how efficiently and, indeed, cost-effectively we can create state-of-the-art communications with all our public. I do not understand why we cannot all agree as a family—all members of the House on one side and the other, the press gallery, everybody—that it is in our interests to have cameras up there, free-floating, doing what the journalists who are picking and choosing want to do. That is their right and an important right, which I will defend and which I think has to be defended.

I also think it is the right of all of us as citizens of this province to have this Legislature as a showpiece—and I say that quite deliberately—for our ability to communicate with each other as Canadians and as Ontarians. We have done something with communication in this country that has kept this country together. To me, it is a tragedy that we are missing the boat, missing an opportunity.

I think many members are simply sticking their heads in the sand in failing to recognize we have the chance to do something positive and progressive which will create some jobs and

some opportunities, and will show the people of Ontario just how we can create a state-of-the-art ability to communicate with one another.

It would be very easy and very exciting. I think it is something which, frankly, we could do. We could readily afford it and I am simply quite astonished at the opposition I have heard today to what I would have thought would have had the consent of every member interested in communicating with his constituents.

Mr. Robinson: Mr. Speaker, with three minutes and change remaining, I have much more at hand to note than that. I am always surprised in trying to understand why emotions run so high across the way on this issue. I have no intention of tangling with the buzz-saw of Sudbury East, the member for Sudbury East, on this because he does feel very strongly about it.

Two or three things become abundantly clear in what we have seen demonstrated today, even in the debate on this bill alone. The first one was that the member for St. Catharines should be grateful the House was not televised this afternoon. He is a competent speaker, a competent member of this Legislature and a good orator on his feet. For 20 minutes this afternoon, he read word for word from a text in front of him. His constituents would not, I submit, receive a true picture of his ability by his performance here this afternoon.

It is of equal interest to note his House leader sat beside him looking over those notes for those 20 minutes and did not once jump up to point out that, during private members' hour, again, another member of this assembly was reading from a prepared text. How that escaped the member's attention, I truly do not know, but it did.

In the very brief time I have, there are two or three points that need to be made on this issue. First, those two tripods stand in silent tribute to the interest the TV members of the gallery here at Queen's Park have in this issue. They tell the story right there.

I also say, with respect to the technology, there has not yet been devised a system of televising legislatures—certainly not in this country, and I have seen them—that gives the perspective of what goes on in the House. It is not appropriate simply to focus in on the head and shoulders of one member and pretend that represents either the atmosphere or the perspective of the House at that given moment.

Further, when the member for St. Catharines presented his resolution this afternoon, he would not even have been able to do as they do in this

nation's capital; that is, gather unto himself around his place a crowd of his members to look as though the assembly were full and packed at the particular time of his delivery. That is artificial television in Ottawa.

When I am on my feet, I am pleased to say that I am surrounded by my colleagues; a claim the member for St. Catharines could not make at the time of his presentation.

I want to say to the member for Windsor-Sandwich (Mr. Wrye) in the brief seconds remaining—he and I both served at mother corporation in those years gone by—that he would not, as a former journalist, accept for one second the selectivity of a House system of television. He would still, in Windsor, want to have a film of that demonstration in the gallery and he would want it available from somebody else. If that film were not available to him, Mr. Former Journalist would be the first one to complain about the selectivity of the system of television here in the Legislature.

In closing, I also wonder, during those times when nothing is going on and something else is going on somewhere around us, what would the cameras be focused on.

5:50 p.m.

Mr. Bradley: Mr. Speaker, I want to thank those members on all sides who participated in the debate this afternoon, regardless of the position they happened to take on the resolution. As I indicated in my initial remarks, I appreciate the reason the government members might be opposed to this, but I think it is a matter that affects the privileges of all members of the Legislative Assembly.

I would have thought it would have been an important step forward for the Progressive Conservative government at a time when the government is going through a period of renewal. When there is a leadership convention, it is an opportunity for renewal. Regardless of what happens, I would have thought it would have been a good opportunity to share with the people of this province the happenings in this Legislature.

My fear is that the Tory members have had orders to block my motion. I have this unfortunate feeling because I suspect there are a number of people on the opposite side who actually agree with this resolution and are progressive enough to want to see it implemented as a tool of communication which is available to us now. It would be very helpful in educating the people of this province about the legislative

process and in assisting them in their decision-making.

INDEPENDENCE ANNIVERSARIES

Mr. Speaker: Mr. Shymko has moved resolution 30.

Motion agreed to.

TELEVISION IN LEGISLATURE

5:56 p.m.

The House divided on Mr. Bradley's motion of resolution 40, which was negated on the following vote:

Ayes

Bradley, Breagh, Bryden, Charlton, Conway, Cooke, Eakins, Edighoffer, Elston, Epp, Grande, Kerrio, Laughren, Mancini, Martel, McClellan, McGuigan, Newman, Nixon, Philip, Rae, Reed, Ruprecht, Ruston, Stokes, Swart, Wildman, Wrye.

Nays

Andrewes, Ashe, Barlow, Birch, Brandt, Cousens, Cureatz, Dean, Drea, Eaton, Elgie, Eves, Gordon, Gregory, Harris, Hodgson, Johnson, J. M., Kolyn, Lane, MacQuarrie, McCaffrey, McCague, McLean, McNeil;

Pollock, Ramsay, Robinson, Rotenberg, Runciman, Scrivener, Sheppard, Shymko, Stevenson, K. R., Taylor, J. A., Treleaven, Villeneuve, Walker, Watson, Welch, Wells, Williams, Yakabuski.

Ayes 28; nays 42.

BUSINESS OF THE HOUSE

Hon. Mr. Wells: Mr. Speaker, I would like to indicate the business of the House for the coming week.

Tonight we will deal with second readings of Bill 93 and Bill 82, with any divisions to be held at approximately 10:15 p.m.

Tomorrow, Friday, November 16, we will do estimates of the Deputy Premier (Mr. Welch) and we will also do estimates of the Deputy Premier on Monday afternoon.

On Tuesday, November 20, in the afternoon, we will do third readings of government bills on the order paper, second and third readings of any private bills on the order paper and committee of the whole on Bill 101, with any divisions stacked to approximately 5:45 p.m.

In the evening, we will do second readings and committee of the whole, if needed, of Bills 129, 131, 102 and 135, and possibly the bill

introduced by the Minister of Northern Affairs (Mr. Bernier) today, if that is agreeable.

On Wednesday, November 21, the usual three committees have permission to sit in the morning.

On Thursday, November 22, in the afternoon, we will do private members' ballot items in the names of the member for Dovercourt (Mr. Lupusella) and the member for Carleton East (Mr. MacQuarrie).

In the evening, we will be in committee of the whole on Bill 77, with votes stacked, followed by resumption, if time permits, of any business not completed Tuesday night.

On Friday, November 23, we will do estimates of the Deputy Premier.

The House recessed at 6:02 p.m.

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Fourth Session, 32nd Parliament

Thursday, November 15, 1984

Evening Sitting

Speaker: Honourable John M. Turner

Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday, November 15, 1984

The House resumed at 8 p.m.

PUBLIC LIBRARIES ACT (continued)

Resuming the adjourned debate on the motion for second reading of Bill 93, An Act respecting Public Libraries.

Mr. Laughren: Mr. Speaker, I appreciate the support from all sides of the House. When we last debated this bill, I had been telling the minister, if memory serves me correctly, what I thought was being done correctly about the bill. Since I started out my speech on a very positive note with the good news, I thought that now I should tell the minister what I do not like about this bill.

I have three fundamental disagreements with the bill. I do not think there is any particular reason my concerns about the bill should coincide with the concerns of the professional librarians, but they do.

First of all, I believe the question of user fees is left too open for interpretation in this bill, beyond the whole question of whether or not libraries can charge a fee for borrowing books or for the use of reference books. I would not like to see that. I think it has been many decades since libraries had a mandate to charge beyond the very basic charge they have implemented for borrowing books.

To me, one of the most fundamental services in all communities is the libraries. In a funny way, and this is a personal opinion, they are more democratic in nature than even school boards or municipal councils. They are truly grass-roots organizations, or at least they should be. It bothers me a great deal to see the minister bringing in a bill that leaves open-ended the kind of user fees that can be imposed upon the borrowing public.

The second problem I see, and it is perhaps my major concern, is the power of municipal councils. I know this has been raised before. I live in a very small, sparsely populated community of 10,000 people. The library board in that community has always felt it played a major voluntary role. I sometimes wonder whether the minister has forgotten about the voluntary nature of library boards; they truly are one of the last volunteer organizations. They receive, at least in my area, not a penny for the services they offer.

If the minister is going to say that from now on the municipal council will tell the library board, line by line, what it is allowed to spend, why would any library board take itself seriously? Why would any library board regard its role as important, of any significance whatsoever?

If the minister wants the library boards simply to rubber-stamp what the municipal councils decide they should do, then the minister should direct the municipal councils to form committees to help manage their libraries. She should not play this con game, telling the library boards, "We want you to continue in your voluntary role, to serve without pay and simply do what the municipal council directs you to do, line by line, in your library budget."

The minister cannot have it both ways. She is going to undermine the library board service, which I consider to be one of the finest voluntary services in Ontario, if she says to those people, "From now on, the municipal council will decide on every single expenditure you make."

I am not concerned with the global figures, because I understand the municipal councils do provide substantial funding to library boards and therefore should have some control over the global budgeting of the library board. What I cannot come to grips with is the minister saying, "We are going to give the municipal council control over every single line of your budgeting." I think that is simply horrendous.

It is going to allow the municipal council to say, "We think you are buying the wrong kind of books." I hope I am not reading too much into this, because I do not mean simply to raise a red flag; but what if the municipal council says: "We think your books are simply too liberal"—by that I mean small-l liberal, of course. "We think they are too liberated. We do not like all these books on women's liberation. We do not like these books on liberation theology."

I find it very offensive that the municipal councils could tell the library boards: "We do not want you to spend so much money on these kinds of books. Put more of your money into building new shelves, offering a children's program or whatever." I find that very offensive.

If I sat on a library board, I can tell members what I would say to the minister and the local

municipal council. I would say: "If you want me to serve as a library board member, do not undercut all my decision-making powers. Do not take away from me the very reason I became a member of this library board." That is what the minister is doing.

8:10 p.m.

I do not know if the minister inherited this bill and is simply carrying it through the way it was handed to her. I have no way of knowing how that works within cabinet. If the minister did inherit this bill, then she will have no better opportunity to show her independence of mind than by saying: "This is something we want to change. It may have been well intentioned, but it is not the way we want the libraries to work in Ontario."

I could go back a long way in history about libraries, about the whole principle of community-funded libraries and the independence of libraries from government. It is terribly important to continue that.

I really believe the minister is going to undermine the independence of library boards and, perhaps even more important, she will undermine the morale of library boards across the province. I have talked to librarians who have told me this is it for them, that if the minister wants to bring in a law that says municipal councils can determine line-by-line budgeting of the library boards, then let the municipal councils run the libraries in the municipalities and let us stop playing this game of pretending there is useful role for library boards if the government is going to take all the decision-making away from them.

I believe the minister is not going to accomplish what she probably would like to accomplish with this bill. I ask her to consider that.

The third major problem I have with the bill has to do with the whole funding question. The minister uses wording such as in subsection 30(1), where the bill reads, "The minister may make a grant to a board" for something called "library purposes." What else would one be making grants to a library board for, if not for library purposes?

It is the word "may." There seems to be no ongoing obligation or commitment by the minister to fund the library boards. If my memory serves me correctly, about 20 per cent of the funding of libraries comes from the province. I stand to be corrected by the minister, but I believe it is around 20 per cent that is funded by the province for libraries. If she says this funding "may" be apportioned by the ministry, she is

signalling to the library boards across the province that they had better do exactly as the province believes they should do, or that "may" will become very important to them.

Mr. Gordon: Amend it to "shall."

Mr. Laughren: "The minister shall"—the member for Sudbury quite appropriately interjects that perhaps an amendment should be put during the committee stage. I would not want to get into clause-by-clause, because I know the Speaker is sitting there like an eagle waiting to pounce on me if I should stray from the principles of the bill and start talking about any special clause.

Mr. Breaugh: What kind of eagle?

Mr. Laughren: Like an eagle.

Mr. Breaugh: What kind of eagle? Answer the question.

Mr. Laughren: Mr. Speaker, I was not referring to a bald eagle. I want you to know that.

The Acting Speaker (Mr. Cousens): Thank you.

Mr. Laughren: I only reassured you on that in case you cut me off.

I do not know how to make my case any clearer to the minister. What is at stake here is the basic autonomy of the library boards. That is terribly important. There should be the autonomy that has existed for some time. That autonomy must be maintained. If the minister erodes the autonomy of the library boards, she will lose something that is quite precious to Ontario. I know there has been the odd example where the auditing perhaps did not occur the way it should have, in which case there has been the odd problem, but I do not believe—

Mr. Grande: Only one.

Mr. Laughren: The member for Oakwood tells me there was only one. I do not believe legislation is structured for one problem. What one does is look at whether a service has been provided to the people of Ontario that is adequate and basically problem-free. If that is the case, why would the minister tamper with it? There is an old saying, "If it ain't broke, don't fix it."

Mr. Breaugh: Who would say something like that? What a trite, inconsequential saying that is.

Mr. Laughren: I think it was the member for Lakeshore (Mr. Kolyn) who first coined that phrase. He said, "If it ain't broke, don't fix it."

It seems to me the library system has served the province extremely well. I do not know why the minister is intent on taking away from the library boards the autonomy they currently have.

I would ask the minister if she really thinks there will be an ongoing high quality of voluntary service to the library boards if she guts their responsibilities. I do not know why she would expect there would be.

I would not serve on a library board if I were approached, which is unlikely, to serve on one. I would ask, "What are my duties?" "Well, basically your duties are to spend the money the municipal council says you must spend line by line." As a person, I would not want to serve on that library board and I know all sorts of people who feel the same way in the library community.

Mr. Gordon: When was the last time you were in a library?

Mr. Laughren: I wish the member for Sudbury would speak up because I have a funny feeling he is on my side in this case, but he is mumbling in the minister's ear and I cannot hear everything he is saying.

I do not blame him for trying to whisper in the minister's ear and I do not want to pry if it is anything private or personal, but I really would like to know if it is something supporting my argument.

There is silence on the other side.

Hon. Ms. Fish: Not so far.

Mr. Gordon: I will be kind to you. I will not repeat it.

Mr. Laughren: Kind to whom? The minister or me?

Mr. Gordon: To you.

The Acting Speaker: Order.

Mr. Laughren: Mr. Speaker, I am pleased about one thing, and that is that this bill is going to committee and there will be an opportunity for any number of people to have some input into it and to make changes.

I hope the minister will be open-minded enough to accept some amendments. Perhaps, if she does not feel she wants to be upstaged, she will even bring in her own amendments. We would have no quarrel with that. We have no sense of jealousy about ideas in this chamber, particularly those of us who have been around a while, who have long learned that pride of ownership in ideas is not very important in the Ontario Legislature.

I will not say what I was going to say; I would only get the member for Sudbury angry and I do not want to do that.

I will conclude simply by saying to the minister the most important issue here is the autonomy of the library boards. I feel very strongly that the library boards in Ontario have

served the province extremely well. They have managed to keep a balance between what some people regard as a system that caters too much to the changing times and what other people think does not provide a strong enough sense of our history.

Library boards, by some strange mixture, have been able to have a library system that most of us and most municipalities in Ontario are very proud of. I would say to the minister in closing that she should not believe, because library boards are progressive and believe the people out there have a right to have in their libraries what is current and what is topical, that all municipal councils believe the same thing.

8:20 p.m.

The people who serve on library boards, this may sound trite, are believers in books and ideas. I do not think I am being unfair to municipal councils when I say that is not what really motivates a lot of municipal councillors across the province. It is different things. I do not mean they are wrongly motivated, but simply that their motivation is not books and ideas. What is the motivation of library board members? Books and ideas. That is why they serve on library boards. We do not want to trade one off for the other. The independent library board is too important to twin with the motivations and ideas of the municipal council.

I simply conclude by urging the minister to think very seriously about giving that kind of financial control, because when we give financial control, we give control over ideas as well. I ask the minister to reconsider that part of this act.

Mr. Nixon: Mr. Speaker, I am very glad to have an opportunity to speak on second reading of this bill, and I am delighted the Minister of Transportation and Communications (Mr. Snow) is here, because he is always so helpful in these debates.

I want to congratulate the minister for bringing forward this bill, much of which I heartily approve. We are approving on second reading the parts about which we are not so keen, so that as it goes to committee there may be an opportunity to improve it by amendment.

I think the minister has been a bit lucky. Her predecessors have sat through the endless meetings that have gone on for years now in an attempt to bring forward a bill that would be acceptable on all sides, not only in this House but also in the community, and seen as something that will benefit the public libraries of the province.

The founder of our library system was Andrew Carnegie, an American who was born in Scotland. He did more for the library system of this province than this Legislature, with its hands in the Treasury, is going to be able to do even with this act.

Someone recently wrote a book about the Carnegie libraries. I have not read it, but I have heard some interesting reviews and comments about the book. Evidently, Carnegie had to leave school at age 11 and worked very hard. The only access he had to books was his uncle's library. He used that to such good effect that he ended up sort of ruler of the universe, if millions of dollars put him in that category.

Mr. Laughren: How about Dale?

Mr. Nixon: Dale is the person who made the honourable member what he is.

Carnegie, never forgetting that his Scottish ancestry was an important part of his character, undertook to fund some libraries in his own community in Scotland. According to the stories, some Scottish people in this province learned he was subsidizing and building these new libraries and wrote him a letter saying, "Listen, we would like your help too."

With one paid assistant, Carnegie was able to distribute many millions of dollars to build new buildings and assist municipalities across the United States, Canada, Scotland and England. They were built perhaps better than he knew. Some of the finest buildings in this province were built with money he provided. Often the local municipality assisted only in providing the land. Sometimes a generous land owner in the community provided the additional largess, getting his name on the cornerstone along with that of Mr. Carnegie.

When we come to do a thing such as this, we have to have an elaborate bureaucracy with a peripatetic deputy heading the whole thing, all of them paid nothing less than about \$72,000 each. Perhaps some of the people under the gallery are paid a bit less than that, but we do think a little differently now. We cannot say that even our assistance to libraries does not have within it that built-in overhead without which the government of Ontario has learned it cannot draw breath.

I cannot be too critical, because on many occasions in recent months I have been among the supplicants in the minister's boardroom, drinking her lukewarm coffee, smiling and being as nice as I could be, and in most instances it has worked reasonably well. But, as usual, the question is, "Susan, what have you done for us lately?" And we will get around to that.

I remember about five years ago, perhaps a bit longer, when the present Minister of Education (Miss Stephenson) was Minister of Labour. Was there ever a situation like that? Yes. Our arenas were found to be faulty and perhaps even dangerous, and without any difficulty at all we were able to pump about \$60 million a year into tearing down these old buildings, which might have been trussed up and shored up, and building new ones. In fact, in some communities, such as Norwich, we have built some of the finest edifices, which outclass even the local liquor store when it comes to architectural design and efficiency, though not quite when it comes to popularity.

I am suggesting that if the minister were to have this kind of clout with her cabinet colleagues—that is not quite the word I should use in connection with the minister; I will think of another one soon—she might be able to persuade them to consider the library buildings themselves as somewhere in the same area of importance as the local arenas.

The young people get up early in the morning with their mothers and fathers, go and practise hockey and play late into the night. Without the arena in the South Dumfries area, the style of life there would change dramatically. Yet our local council, with the assistance and the leadership of the local library board, has continued the old library, which was originally funded by Carnegie, as an institution that has kept up to date and does serve the community very well indeed.

In this I go along entirely with the member for Nickel Belt (Mr. Laughren), who was very complimentary of the library boards, which often work under difficult circumstances. In our area they are usually working with the support of local council; I would not say anything but the full support, but I am aware that in many communities such is not the case, and some councillors feel that if they are having budgetary problems the easiest place to cut is in the library budget.

I am also concerned about the independence of the library boards. The fact that the boards are appointed concurrently with the term of the council probably is one of the points that emphasizes this.

My own feeling, however, is not as extreme as that of the member who has just spoken. I feel the commitment to community service and the goodwill on all sides is such that we are going to have well-funded library facilities in our communities. I do not worry about that nearly as much as I worry about the newly established

library service boards in part II of the bill. I will talk about that in a moment.

As we debate this bill, which we hope is going to serve as the administrative basis of the libraries of the province for a while so we are not going to be back making far-reaching changes in the near future, we have to look at the beginnings, what Carnegie did himself with his own money, with one bureaucrat working for him administering a library program that covered the United States, Canada and the United Kingdom.

The minister might think about that when she looks at the establishment she will have to have to serve the administrative practicalities of this bill.

I am also very glad we have not been so hidebound and restricted that we say that in each community there has to be a board that is composed thus and so. As a matter of fact, the minister has made provisions for union boards with separate cities involved in county boards—almost every sort of permutation and combination that would be viable in the community. In other words, what we have we can pretty well keep, with the flexibility to move together to improve service by having the economies of scale.

8:30 p.m.

I am always wary of anybody pointing out the economies of scale, because our experience in the provision of service with public funds means that the bigger they are the more expensive they are—on something more than a geometric progression; more like an exponential progression. I am not sure what that means other than that I think it means that as it gets bigger it costs a lot more than what one would normally expect. Certainly that has been true in any kind of regional government or restructured government I have ever observed; but that is another debate and another problem.

While I talk about hoping this bill will serve the library community for a fairly lengthy time, we are all aware that more recent changes were not that good. They brought forward all sorts of terrible problems, financial ones to begin with; mention has already been made of the fiasco involving the Niagara and southern Ontario regional board, which got into some unbelievable financial problems. We cannot imagine that such a disastrous situation could occur to a minister of the crown, with all the auditors and supervisors available to him or her. The disaster set back the confidence in these larger supervising boards—perhaps I should not call them supervising boards; these boards that give generalized service.

I personally have real misgivings that the service areas the minister contemplates are going to be anything but disastrous white elephants if they are going to have large numbers of provincial appointees, many of whom will tend to be supporters of the government. Not all of them will be. There will be a few show Liberals and, heaven forbid, a few show socialists. We do not need those in library boards, surely—well, perhaps a few. We know the way those things are done.

Just because they happen to be good, little tame Tories does not mean they cannot read in each instance, so they would certainly serve on library boards; but they would tend to look for direction from the minister. In case they do not look carefully enough, the minister has section 39(c) in here—if I can just turn it up—which says:

“The Lieutenant Governor in Council”—which means the Minister of Citizenship and Culture (Ms. Fish)—“may make regulations respecting the establishment, organization, management, operation, premises and rules of public libraries.”

When it gets right down to it, we know who the top librarian is, for the time being.

I, for one, am prepared to place my confidence in the judgement of the minister and her multitudinous advisers; but when we look at these supervising boards covering these large areas carved out of somebody's imagination from the geography of Ontario, it does not make much sense to me. They are far too big to have any local relationship, even though better than half the board members—one more than half the board members in some cases—owe their appointments to the local municipalities or collections of municipalities.

When we talk about a community like my own, South Dumfries, with a population of 5,000 to 6,000, its input into the regional board is going to be something less than zilch. They do not worry about that too much, because the local boards have fended for themselves very well indeed. As a matter of fact, our local library is even air-conditioned, which is something the local member's office certainly is not; but that is something else.

I simply express my concern that so much of the power remains centralized with the ministry and with the emanation of the ministry, which in every respect is this regional service area board. The fact there is membership from the community on that board as well is a mitigating factor which I am prepared to recognize. However, as far as the local libraries are concerned, I still feel

they might even prefer to have centres of library assistance established, let us say in Toronto, Hamilton, Brantford, Kitchener, London and so on, and to turn to those the way we turn to medical centres for situations that cannot be handled locally.

I am not at all sure the alternative selected by the minister and her advisers is the best in the long run, but it is one that has been selected from a cafeteria of six or eight alternatives. We are prepared to support it, indicating some concern for the choice she has made.

As far as the funding is concerned, I have already indicated that in some instances the library services are much too cramped in the present facilities. We know and we hope, in the long run, that we are going to be using Wintario funds—if there is anything left over after we build the William G. Davis dome—in extending grants to build larger libraries or extensions to libraries.

I hope we are able to maintain these architectural treasures that were bought and paid for by Carnegie 50 to 60 years ago, or even longer ago than that, and that we are not going to say, “Well, that is no good,” push it out of the way and build some sterile outfit somewhere else in the city that will perhaps not be as attractive to the community.

I want to go on record as favouring the use of public funds and Wintario funds; which I consider to be public although a lot of people over there do not, they think those are funds that came out of nowhere and can be spent on all sorts of things. I hope we are going to have a program that will expand our library system.

I want also to point out that with the present computer systems that are growing so rapidly, just exploding in size and cost, there is no reason for us to feel we have to have every kind of reference material, not even in the libraries in the major towns across Ontario.

In our experience, even in a small library serving a rural area, if there is some reference needed one may not be able to walk in and have it presented in five minutes, but within half a day they can have quite esoteric material available if it is asked for specifically. Through computer connections and so on, it is more readily available than most of us think.

We have to be a bit careful of the idea of building a library large enough to hold everything the librarians would like. It is obvious that as populations have grown since the war the library facilities have been crammed more and more tightly into the traditional library buildings,

which were built so long ago and which have served the community so well.

We are going to be spending more money than perhaps we envisage at present on maintaining and bringing our library services up to date. I agree with those who have expressed concerns. We want to have their independence understood, and we hope local councils are providing funds in sufficient and growing amounts, but they still have to recognize that appointed library boards have independent responsibilities that are important to a large segment of the community. Without their work as volunteers performing this service the communities would certainly be poorer places.

I look forward to the discussions in which the minister will be involved when this bill goes to committee. I believe those people who have been immersed in the library systems of Ontario, not only the librarians but also the volunteers who as citizens have taken on this responsibility, will look forward to a chance to express their views to the minister and her people and to all of us as interested citizens who feel this area is one of public service wherein we cannot fail.

8:40 p.m.

Mr. Swart: Mr. Speaker, I am pleased to rise and say a few words on this bill. In truth, I may not present anything new, and perhaps I will not be saying it in a better way than any of the others who have taken part in the debate, but it is an issue about which I feel fairly strongly. That is why I wanted to get up and express my point of view.

I suspect the roots of this bill before us now, in which the main issue is making the library board more accountable to the council, come to us from the strong feeling among municipal people, going back a couple of decades, that there was such a proliferation of boards, some of them only partially accountable to council and some not at all accountable to council, that the council itself had very little authority over the expenditure of its money and certainly little control over where that money went after it was distributed.

My political experience is mainly that of being on municipal council for some 20 years, and I can recall the tremendous debates that took place in the municipal conventions, as I am sure in later days the minister can, with regard to these quasi-independent boards over which the councils had little or no authority.

In general, when we moved to regional government other changes were made, whether it was the planning board of the council which was semi-independent or the children's aid societies

which still are semi-independent. In many areas, under regional council, the council did have more direct authority and many of the local boards disappeared. Generally, I think that was good. I had the opportunity to sit on a library board for a couple of years and I feel that any more direct accountability to council, or to put it another way to have library boards subject to council, is a move backwards.

As my colleague the member for Nickel Belt said, people I know and have associated with on library boards are really a different breed of people. Most of them have a very different sense of values from people on council, and that is not said in a derogatory way about council members. I think it is generally true to say that members of library boards are much more modest people than members of council. They are more unassuming. They are quieter. They are not a battling breed like many of us were on council and are in this chamber. Generally speaking, I think they are more intellectual. They are not nearly as subject to public opinion or concerned about popularity as people on councils.

I would like to see it stay that way. I am conscious of the feelings of many people on councils towards library boards. I can recall one member of council, on one occasion when we were talking about the amount of funds that would be transferred to library boards, who said: "I do not know why we have libraries at all. We do not use public funds to provide television for people, or radio for people, or facilities to get the news, so why do we have a library at all? If people want to read, why do they not buy their own books?"

That sort of attitude may not be the dominant attitude on councils, but it is certainly prevalent to a very substantial degree; so as the member for Brant-Oxford-Norfolk (Mr. Nixon) has said, that is often the first place they look to cut funds.

The main purpose of this bill is to put library boards more under the thumbs of the municipal councils. That is done in at least three ways in this bill. One is by the appointment procedures which now come under the jurisdiction of council much more than under the former act.

Second, the very fact the terms of library board members coincide with the terms of the members of council is a clear indication to council that when they change the library board should change. I am inclined to think there should be more continuity there than that.

Subsection 24(2) of this bill refers to the budget. The allocation of funds to a library board becomes much more subject to council than at the

present time by this subsection, which says the council may transfer the money and the board shall be "subject to any terms and conditions that the council imposes."

In those ways, at least, the library board is going to be more accountable or more under the jurisdiction and authority of the local council than it has been in the past.

It bothers me because of my knowledge of and association with library boards. They are a quiet group, a group that does not generally make itself heard much or speak out loudly. The library boards in my area have come out in rather strong opposition to this and we know the Ontario Library Association has as well. The very fact they have taken this position causes me to think they are right.

Of course, they may have some vested interest, but I do not think the people on library boards are the kind of people who put their own vested interests, their terms on the board, ahead of what they feel is the need to have an independent and good library system for the public.

I also share the view of the boards and the library association that there should be some provision, at least in the communities, the towns and cities of this province, that there be a librarian as the chief executive officer. It seems to me this is perhaps a move more towards the consideration of funding and financial management than having a library that is independent and serves the needs of the public generally.

I also share the concern of the library boards and the member for Brant-Oxford-Norfolk when they express concern about the large library service area. I think they will be unwieldy and unmanageable. We have a situation existing in Niagara where the regional library board went into debt for almost \$1 million.

I think if we get them much larger than that, and have them covering areas from Hamilton right down through the Niagara Peninsula where there is little community of interest, not only will they not provide the community service that is needed but they will also become more unwieldy and even more difficult to control from a financial point of view.

Our party feels that on balance this bill does more harm than good to our library system. Although I know it will be going to committee, we feel it does not deserve support on second reading. When it gets to committee, I hope the minister will be susceptible to the arguments put forward by the library boards, by those who over the years have been trusted with providing a

library system. They have done a very good job in providing that library system and want to be given the authority to go on doing that commendable job for the public.

The Acting Speaker (Mr. Cousens): The member for Windsor-Walkerville.

[Applause]

Mr. Newman: Do not applaud; just throw money.

Mr. Speaker, I want to make a few comments concerning Bill 93, the library bill. The comments I will make are those sent to me by the Windsor Public Library Board. A copy of the communication has been directed to the minister, so I am sure she is aware of it.

8:50 p.m.

For the record, I would like to read two communications sent to me by the board. The first is a letter to the minister, dated September 20, 1984. It reads:

"During the Treasurer of Ontario's presentation of the Ontario budget in May 1984, the need for restraint was emphasized, particularly on local wages. The Treasurer also announced his proposal to limit the increase in provincial grants—that is, transfer payments—to five per cent.

"The provincial grant for public libraries was last established in 1982, and since no change in the grant rate has been made for 1983 or 1984, the province has placed even greater restraint on the public libraries in this province. The provincial grant received by the Windsor Public Library Board in 1982 represented 11.04 per cent of the board's total expenditures. Without an adjustment to the grant rate for 1983 and without an increase in 1984, provincial support will fall 20.7 per cent below the 1982 level.

"During this same period, the demand for services from this library system has increased by more than 13 per cent. Not only has this board experienced significant demand for more service and is responding with proportionately reduced resources, the provincial support for the Windsor Public Library is dwindling to the lowest level in years. The members of the Windsor Public Library board, by resolution, urge you to implement a revision to the provincial grant for public libraries in keeping with the Treasurer's proposal of five per cent in 1984."

It is signed by the secretary-treasurer of the Windsor Public Library.

It was followed up approximately one month later, on October 12, with another communica-

tion. This communication was sent directly to me and it reads:

"The Windsor Public Library board in its last meeting concluded discussions of Bill 93, a proposed Public Libraries Act, 1984. The board adopted a resolution to forward the enclosed brief to the Honourable Minister of Citizenship and Culture as comment and recommendation respecting Bill 93. The board has requested that it be notified when this bill is to be sent to committee.

"Thank you for your interest in the proposed revisions to the public library services of Ontario."

It is signed by the secretary-treasurer of the library board, Fred C. Israel.

The brief as sent to the minister is as follows. It is quite detailed and I would like to put it on the record so other communities that may not have received the recommendations of the Windsor Public Library board can evaluate them in their discussions.

The brief reads: "The Windsor Public Library board has reviewed Bill 93, a proposed Public Libraries Act, 1984, which was introduced to the Legislative Assembly of Ontario in June.

"A new act has been the focus of countless hours of thought, planning and debate within the public library community of this province for many years. The proposed act reflects many of the proposals submitted during the exhaustive public libraries program review and the response period. It permits a significant advance for public libraries in this province and will serve as a base for future development.

"As a further contribution to the consultative process, the Windsor Public Library board submits the following comments on the provisions of Bill 93:

"The board regrets that the provincial policy statement on public library services as developed during the public libraries program review and which received ministry approval at that time was omitted in the preamble to Bill 93. It is recommended that consideration be given to including the provincial policy statement on public library services in Bill 93.

"This board welcomes the retention of the corporate status of the public library board." That is subsection 3(3). "This board expresses its concern about the possible conflict which may arise as a result of section 9 respecting the method for making appointments. The proposed act places the school boards and their nominees in a secondary position. Either the school boards should make appointments directly or the

municipal council should make all appointments. This board, aware of the many responsibilities and demands placed on elected officials and noting that the mayor of Windsor has exercised the option permitted in the Municipal Act, disagrees with the provision to increase the number of elected officials that may be appointed to the board." That deals with subsection 10(2). "It is recommended that clause 10(2)(a) be amended to provide two less than a majority of the board"—that is, members.

"This board is most concerned about the possible impact of subsection 10(3) in that a complete change in the membership of the board would be possible. The advantages of continuity must outweigh the neatness of coincidence with the municipal election. It is recommended that the act provide for staggered appointments to the board, one third each year.

"The board welcomes the requirement for public advertisement for appointments to the board." That is in subsection 11(1). "It is recommended that the phrase 'as may be appropriate' be deleted from subsection 11(2) and other paragraphs throughout the bill, since this phrase weakens and confuses the intent of the bill.

"The board finds no rationale for the provisions of subsection 14(1), especially when there is provision in the act for a secretary of the board. It is recommended that the duties of the secretary"—subsection 15(3)—"be expanded to include the responsibility to call the first meeting of a board in a new term.

"The board finds no rationale or necessity for a chairmanship for the three-year term"—subsection 14(2). "It is recommended that the act include a provision to permit the election of a chairman annually.

"The board welcomes the greater definition of the responsibilities of its chief executive officer." That is in subsection 15(2).

"The board regrets most strongly the absence of the term 'librarian' or the requirement for a librarian in the provisions of Bill 93. This board supports its professional staff and the services which they alone provide to this community. It is recommended that the abolition of professional staff and service from the public libraries of Ontario be reconsidered before this bill proceeds through the assembly.

9 p.m.

"The board recognizes and welcomes the clarification provided by subsection 16(3) on meetings. The board finds no rationale for the specific involvement by a city council to pay

travel expenses for board members." That is in section 18.

"It is recommended that an annual estimate of the library board as submitted to council contain provisions for the reimbursement of travel expenses by board members.

"The board finds no rationale for the provision 'with the consent of council.'" That is in section 19. "The requirement to submit annual estimates to council would include the necessity to budget for such purposes.

"It is recommended that the requirement to obtain council approval in section 19 be deleted. The board opposes legislation which is confusing or open to dispute, particularly clause 20(d). If a board has the power and/or duty to operate a museum or gallery or other special service, then that power should be explicit. It is recommended that clause 20(d) be revised to be explicit as to the powers and responsibilities of a local board.

"The board welcomes the clarifications provided by section 23. This board has written previously to recommend that the word 'books' be replaced by the word 'materials' in subsection 23(2).

"The board opposes strongly the inclusion of the limitation 'subject to any terms or conditions that the council imposes' in subsection 24(2). It is recommended that the words 'subject to any terms or conditions that the council imposes' be deleted from subsection 24(2) of Bill 93.

"The board is most concerned about the implication of section 28 and believes that it would be contrary to the Constitution. This section would appear to be in conflict with subsection 16(3). It is recommended that section 28 be rewritten to protect the privacy of personal records of the board and the records of matters which are under negotiation and, most importantly, to protect the confidentiality of users' circulation records.

"In Thames region, the Ontario library board would be composed of 23 people. The needs and concerns of the large library, the principal provider of resources and services to the region, would be overwhelmed at a meeting where it has only one vote and yet may represent half the population of the region to be served. It is recommended that the composition of the Ontario library board (section 33) reflect more adequately the population distribution which it is intended to serve.

"The board finds no definition or rationale for the phrase, 'other information providers' in clause 34(1)(a). It is recommended that the

phrase 'other information providers' be deleted from clause 34(1)(a).

"The board expresses its strong opposition to the scope of clause 39(c), as this would seem to override and negate any and all powers of the local board. It is recommended that clause 39(c) be deleted from Bill 93.

"The board expresses its concern for all reference to a provincial responsibility for programs. Servants and services have been removed from the proposed act. It is recommended that a revised Public Libraries Act should reflect the provincial government's commitment to the provision of public library service and include its responsibility for expert staff, funding of services and administrative control.

"The board wishes to present these comments to any Legislative Assembly committee to which this bill is assigned and it is requested that the Windsor Public Library Board be notified when Bill 93 is forwarded to the committee for consideration.

"Respectfully submitted by R. V. Love, chairman, Windsor Public Library Board."

I read all this into the record simply because my responsibilities here keep me moving around and I may not have an opportunity to make these comments when the bill gets into a clause-by-clause discussion. I am sure if representatives of the Windsor Public Library Board are notified, they would be more than pleased to present their points of view on each of the items I have raised.

Mr. Conway: Mr. Speaker, lest the government House leader get a little concerned about my intentions, I will speak briefly on Bill 93. We in this caucus are taking the counsel of our friend the member for Perth (Mr. Edighoffer), but I wanted to add a couple of comments of my own in connection with this act respecting public libraries.

I personally view the public library system of Ontario as something important and vital to the quality of life in Ontario. For a number of years as a student, I spent more than a regular amount of time buried deeply in the university libraries of this province, in the good old days when even they were funded to a healthy level.

Visiting the Douglas library at Queen's University the other night, I saw times have changed. One of my favourite research libraries at the university level is still managing to meet a considerable aspect of its responsibility, though everywhere I hear complaints that the minister of all education is not as generous as some of her predecessors in these matters in supporting the university. That is just what I hear. We would not

want to sidetrack ourselves on that debate tonight.

Hon. Miss Stephenson: There are some realities.

Mr. Conway: Oh, she is here. The minister says there are some realities and, of course, she is quite correct.

The public libraries of the great riding of Renfrew North do a particularly good job of meeting the responsibilities we have set for them and which the community expects of them. Just this past Saturday I was privileged to meet the board of the Pembroke Public Library, which is one of the very fine libraries, not just of eastern Ontario but of the province as a whole.

I want to say at the outset it has been my experience and observation over the nine years and some months of my public responsibility in this place that the members of the library boards of the province, certainly in my part of Ontario, are among the most diligent, thoughtful and hardworking of people when it comes to the discharge of their mandate. I really mean that. I cannot think of a library board in my riding that is not made up 100 per cent of very dedicated and civic-minded citizens.

9:10 p.m.

In all cases of which I have any knowledge or acquaintance, it is a board to which everyone listens, a board that does great work without any controversy of which I can think. I do not suggest this is the case everywhere because I can think of a situation in the Niagara Peninsula some years ago where there was some controversy.

However, as I see it from my experience, people who work as members of boards of public libraries are very important to the community. They do an extremely good job. I think they should be thanked by members of this Legislature and by the community beyond. I appreciate the opportunity, in speaking on second reading of Bill 93, to say thank you to the scores of men and women who serve on the public boards in the great county of Renfrew. Those people have expressed a real interest and concern about what was going to develop as a result of the ongoing review of the current legislation.

I have been trying to allay some of the suspicions by saying the new minister is a rising star in the Conservative galaxy of Ontario. She is a star of some considerable prominence, if for no other reason than that she is so closely allied in public policy matters to the Treasurer (Mr. Grossman) of this province. As a result, she is known to have considerable influence in the inner councils of the Ontario government.

I have encouraged my library boards and others interested in the matter respecting the review of our library policy to take heart in the fact that the minister is influential, experienced, progressive and, by dint of her very considerable municipal experience, understanding of many of the pressures that face the local library boards.

I must give the minister some real credit. I think she has crafted her legislation well in the light of the creative tensions I know are extant as a result of the Bassnett review of library policy. I want to congratulate in a very generous way my friend the member for St. George (Ms. Fish) for the way in which she has—

Mr. Kerrio: She is not smiling. She is expecting something.

Mr. Conway: I think the members opposite know I am a reasonable and evenhanded member of the Legislature. I am quite willing to mete out praise where it is due.

Mr. Bradley: Even when the praise is fulsome.

Mr. Conway: To me, the praise is justified. If the Minister of Citizenship and Culture does not believe me, she should ask the minister of all education. She is particularly well qualified to comment on my fair-mindedness.

Hon. Miss Stephenson: Absolutely. Shall I comment now or later.

Mr. Bradley: Will the Minister of Education reconsider and run?

Mr. Conway: My friend the member for St. Catharines (Mr. Bradley) and I have two \$100 bills in American funds as the startup for the leadership campaign of the member for York Mills (Miss Stephenson). When she said this race needed leadership, brains, verve and a combative spirit, my friend the member for St. Catharines and I believed her.

Hon. Miss Stephenson: No, I said it needed a woman candidate.

The Acting Speaker: I remind the member we are dealing with Bill 93.

Mr. Conway: Mr. Speaker, we want to encourage the honourable minister of all education to take her own rhetoric at full sail, to enter this race and to give it verve, brains and leadership. If Darcy McKeough would not respond, that is no reason why she should not respond. I believe there is an articulate, intelligent, right-wing position in that party and I think the minister of all education is most qualified to give that leadership to that particular wing of this—

Hon. Miss Stephenson: And now back to the bill.

Mr. Bradley: I will deliver the St. Catharines delegation.

Mr. Conway: Getting back to the bill, I reiterate that my friend the member for St. Catharines and I have two \$100 bills in American funds as a startup for the leadership campaign of the minister of all education. It is not too late. A leader must be a leader and, in our view, she is it.

I congratulate the Minister of Citizenship and Culture on the very good balancing act she has managed in Bill 93. I want to say that most sincerely. There are a couple of concerns that were drawn to my attention on recent occasions by people like the membership of the board and the staff at the Pembroke Public Library and elsewhere in the great county of Renfrew, Deep River and Petawawa, to be more specific.

The first concern, and it has been dealt with, has to do with subsections 10(2) and 10(4) of the bill. As I indicated earlier, it has been my experience that in all the library boards of my acquaintance, there has been no controversy. There has really been an attitude of "Go and do your good work." We do not expect to have any difficulty with the management of the mandate.

I really cannot think of a situation in my nine, almost 10 years' experience as a member of the Legislature, where there has been anything but the happiest and most positive of relationships between local governments and our public library boards. There are very good people on those boards who, as I said earlier, do an exceptionally good job in managing our local libraries.

There is the question now about the fact that there will be concurrence between the boards in their entirety and the municipal council as far as tenure of office is concerned. When last Saturday morning the Pembroke library board indicated they thought that to be a most unwise policy because it would break the continuity in the management of the board, I thought they were talking good sense.

It is possible there might be a situation where a great unhappiness develops in the relationship between the boards and the municipal councils. I think that is very much the exception and not the rule. On the basis of my experience at least, I do not think we should legislate for the exception as opposed to the general rule.

As was pointed out to me by the Pembroke Public Library people on Saturday last, if a concurrence of tenure is legislated in this new act it may very well create not just uncertainty for the

first few weeks or months in terms of the ongoing management of the board but also some attendant budget concerns.

It seems to me the current situation is working very well in almost all situations. I draw to the attention of the minister what I feel are the very legitimate concerns of a number of my library people about breaking that. I hope the minister, who has indicated a desire to be considerate and to move some amendments—I was not here for her earlier comments—will really do that in committee, where there is an ability to thrash this hay through one more time to see if there is not perhaps a better way than that which is suggested in subsections 10(2) and 10(4) of the bill.

There is another section that was commented upon, and I think the point was well made. There was concern by some of my boards about subsection 24(2) of the bill, which states, "The amount of the estimates that is approved by the council, subject to any terms and conditions that the council imposes, shall be adopted by the board and shall be paid to the board out of the moneys appropriated for it."

There is a feeling that perhaps that phrase "subject to any terms and conditions that the council imposes" is too explicit an invitation for municipal government to meddle unnecessarily in the management of the library affairs.

Granted, there is an ultimate responsibility for much, if not all, of library policy at the local government level. However, it seems, and perhaps there is a good reason that I have not heard, the concern that was expressed was that in most cases there is a good relationship between the board and the local government. There was a nervous twitch about that subsection 24(2), "The amount of the estimates that is approved by the council, subject to any terms and conditions that the council imposes, shall be adopted by the board...." There was a suggestion that there might be an invitation to undue interference. The men and women on both sides are reasonable, but it is a concern I wanted to express on behalf of some of the library people with whom I have spoken.

9:20 p.m.

In my absence, my learned friend the member for Brant-Oxford-Norfolk talked about section 39 of the bill. It concerns me that this section of the bill dealing with regulations is about as expansive as the Pacific Ocean. The regulations and the implementation of the act are left too much in the hands of the minister and, more important, her well-intentioned bureaucratic support staff.

Let me read section 39:

"The Lieutenant Governor in Council may make regulations,

"(a) providing for the distribution of all moneys appropriated by the Legislature for library purposes;

"(b) prescribing the conditions governing the payments of grants to boards;

"(c) respecting the establishment, organization, management, operation, premises and rules of public libraries."

That last one particularly concerns me. I can imagine the clever bureaucrat, in the name of regulation, having almost imperial scope in the application of this legislation.

When I look back to some of those other sections to which I referred, I see the minister is very anxious to tie down local boards and local governments to their very specific responsibilities; but when it comes to this level of government, we have a very open-door policy with respect to regulations.

This is not good legislation in terms of parliamentary government. This is altogether too great a transfer of power from parliament to administrative staff. I know the tradition has been to establish a reasonable latitude for the writing of regulations, but section 39 is too open. It would be useful if we could confine its scope somewhat.

Finally, I want to mention one or two observations consistently made in conversations I have had with library people in eastern Ontario.

First—and the bill deals with this—is the library service area. There is a feeling, certainly in my constituency of North Renfrew, that the districts of the service areas are getting unmanageably large. If one is in a place such as Pembroke, Petawawa or Deep River and one's service area is anchored in Kingston, practically speaking—this is a family show, and I would not want to use the analogy that springs to mind immediately—one is very much at the end of the administrative tail and not likely to command the kind of attention that one would hope for.

Perhaps in St. George, York Mills, York East and Lakeshore, there is not a keen sensitivity to the length and breadth of this province. We appreciate the minister's general interest in our geography, but sometimes we get the feeling that at the corner of Yonge and Wellesley or Bay and Bloor, where some of my ministerial friends do business on a daily basis, there is not the sense that it is a long wintry drive from Kingston to Point Alexander or from Parry Sound into the most westerly part of my constituency. When

one has these rather large service areas, and they are getting larger, it becomes unmanageable in some particular ways.

The other point that was mentioned to me by a couple of people whose motives were very good and pure was: "Tell those people at Queen's Park they have to make sure provincial moneys applied to libraries go to the maximum extent for the provision of books and other materials. Try to curtail the growing habit of this branch of this ministry—admittedly in tougher times and dealing with scarcer resources—whereby we dedicate more of the resources we have at hand to another layer of bureaucracy."

I heard this from two or three people: "Tell the honourable minister we want our money to maximize the provision of books and audio-visual materials for our users. Stop this penchant for spending scarce resources for the creation of another panoply of co-ordinators, administrators and whoever". That strikes me as not unreasonable criticism.

I do not profess to know a great deal about the ministry's library service division, but I know something about other government ministries, not just in Ontario but elsewhere, and this tendency to allocate more and more resources to more and more administration. The titles are endlessly fascinating. I am always impressed by some of the new titles. I am sure the Minister of Consumer and Commercial Relations (Mr. Elgie) must quietly and privately agree there is quite a genius in humankind to create new titles and new responsibilities.

We have to be very careful, as we face very pressing and modern challenges with respect to our library services, that to the greatest degree possible we dedicate the resources available for the direct services that we all expect when we go into the local branch of our community library.

I want to conclude my remarks with those observations. I will look forward to the committee stage on this bill. I say again that the minister has done quite a good job in dealing with some of the tensions I know she has had to face. I do hope she is able to address some of these concerns in either later remarks or in committee amendments.

With that, I will conclude these brief remarks on behalf of the good people of North Renfrew, who want very fine libraries for the 1980s and beyond.

9:30 p.m.

Hon. Ms. Fish: Mr. Speaker, I will try to respond to points in groups or in main principle rather than attempting to go over detail that will

likely be addressed in a closer, clause-by-clause review. I hope members will appreciate that I will not necessarily be addressing each individual point that has been raised last day and tonight where there was a good degree of specificity.

Let me begin by saying a couple of things. On the occasion of the beginning of our second reading debate, I did provide for public information, to members of this assembly and to interested members of the library community, in the form of a number of amendments that I indicated I was proposing to make to the bill.

I tried to make two things clear at that time. First, I said the amendments flowed from the very active dialogue and discussion that I and my staff have had with representatives of the library community over the past few months. These representatives have been doing, in phone calls, in meetings, in letters and in formal submissions, precisely what I think members on all sides of this House would want; that is, taking advantage of the lapse of time from first reading into second reading to review the bill in some considerable detail and provide me and, I might say, many other members of this Legislature with the benefit of their thoughts both on the points to be maintained and on others to be strengthened, modified or amended.

I realize that making the amendments available was an unusual procedure. I was a bit saddened to have been excoriated for doing that. It was my intention simply to move ahead in the most open manner possible to make the proposed amendments known, since I had been listening through quite some period to the comments that were made and had been persuaded in many areas of the desirability of clarification and modification. It seemed to me the sensible and, I might say, the honest, ethical and decent thing to do to make clear where there had been a willingness on my part to bring forward a change.

With respect to some of the general points, there is no question that in the area that has been described as authority versus autonomy of the library board there has been, as the member for Renfrew North (Mr. Conway) described, a creative tension in the community. I have tried to walk a line that effects a bit of a balance.

I believe there is balance in the bill that is before the members, particularly with a couple of the specific wording amendments I have suggested. That balance is to try to provide the scope of activity and authority for the library board that I think is reflected in all the communities of this province—I think this is the

case whether it is a very large board or a very small board, whether it is an independent board or a board that is made up principally of municipal representatives—and balance it with a reasonable accountability to the municipal level, which accounts for a figure of close to 90 per cent of the funding of local library boards across this province.

This is not to suggest in any way that library boards would conduct themselves without regard to the quite reasonable financial impact on the municipality or that municipalities would wish to discharge the role of a library board directly. Should the latter be the case, by the way, the municipality would be free to bring forward an application for private legislation. I do not want to see coming through the back door what we are not permitting in the front door, but I am desirous of seeing a reasonable balance in the areas of authority and accountability, and I think we have been able to do that.

In the area of free access to library materials instead of simply to books, I think members on all sides of the assembly are in reasonable agreement. Certainly I am very much in agreement with those who have pointed this out, and I tried to indicate in my opening statement that I am very attracted to free access to library materials and not confining it to books. I am pleased to advise members that the library association and individual boards have already begun work on the possible definitions of materials to effect a change there.

Free access obviously leads one to the consideration of equal access to libraries across this province. Equal access is partly a question of funding, which I agree is fundamental to libraries. But it is also partly a function of the way in which individual libraries and the people in the communities with libraries relate to and deal with other libraries. That speaks very specifically to such questions as support services to local libraries, interlibrary loans and assistance in the collections. Those sorts of things are precisely the things that the Ontario library service has always been designed to do, and they are precisely what I and, I think, all of the library community look to the Ontario library service to do in the future.

Are we amalgamating down to eight? Yes, we are. Therefore, are we providing larger service areas? Yes, we are. However, we are doing so based on considerable and extensive advice from the task groups that were composed specifically of library representatives in reviewing the Bassnett report, which made recommendations

about economy, so as to do what I think the member for Renfrew North was conveying as the wish of constituents in his area. It was to ensure that moneys were directed to library service and not to the administrative end. Providing that specific support for library service is precisely what we are trying to do with the Ontario library service changes.

The changes will speak as well to the changed focus of those service boards. At present, the boards are composed of municipalities of 15,000 or more population with libraries. Interestingly, that question of size does not affect, for example, those who are constituents of the great riding of St. George, who live in a municipality considerably larger than 15,000. However, there was a great concern, particularly in eastern Ontario, from smaller library boards.

Library boards in areas with a population considerably less than 15,000 found they were not represented on the regional boards and expressed the concern that their needs for library service were perhaps not being focused on in the fashion that they should.

I was sympathetic to that. In my view, the larger the board at the municipal level, the greater the likelihood of a larger resource and greater sophistication. The smaller the board, the greater the likelihood of a smaller community and the greater the likelihood of a reduced resource. The support, the assistance and the focus on improved service are very much the goals here in the changes to the Ontario library service and are very much the goals in the changes to the appointments that are there.

I want to deal specifically with a couple of points that were raised. One was a disturbing indication, I believe made by the member for Oshawa (Mr. Breaugh), that there was a charge of some \$8 or \$9 for interlibrary loans in areas of northern Ontario. That troubled me greatly, and I undertook specifically to inquire into that, because the entire point of funding the Ontario library service is to provide interlibrary loans at no direct cost to the user. I remain concerned about that information, and I ask for greater detail from the honourable member.

The present system is very clear. There is absolutely no charge to the user for interlibrary loans in the public library service in northern Ontario or anywhere else in the Ontario library system. Where books or materials are being borrowed from key centres, for example, Thunder Bay, which is clearly a resource community for many areas of the north, and where costs might be borne by that local library in providing

some of the materials, those costs are borne by the Ontario library system so that neither the Thunder Bay Library nor the user of the library loan suffers a cost or has to pay for the service. I say that most emphatically.

9:40 p.m.

I would also like to indicate to the member for Brant-Oxford-Norfolk that I have done one or two things for him lately. One of those is to have placed in the mail, even before he spoke tonight, the book called *The Best Gift on Carnegie libraries*, to which he referred. It was one of the bicentennial projects sponsored by my ministry this year and subsidized in publication. I and many other members of the library community are very pleased and proud of the book and we hope when the member for Brant-Oxford-Norfolk and all members of this Legislature receive a copy of *The Best Gift* they will read it, enjoy it and recall the importance of the Carnegie libraries.

In turn, when dealing with their constituents when thoughts come up for renovation, expansion or new construction, I would hope all members would encourage them to retain those very marvellous libraries that I agree have all too often, on a local-option basis, been torn down to make way for a rather more modern and I would argue in all too many cases rather less interesting architectural form.

Finally, simply for tonight's debate, I would like to take the opportunity to read into the record a letter under date of November 15, 1984, hand-delivered to me this evening in the Legislature, copies of which are shown as having gone to the member for Perth (Mr. Edighoffer) and the member for Oakwood (Mr. Grande). This is on the letterhead of the Ontario Library Association. It reads:

"Dear Minister:

"Since our letter of November 6, 1984, we have had the opportunity to review the proposed amendments to Bill 93, An Act respecting Public Libraries.

"We are pleased to see that the proposed amendments reflect many of the concerns that have been discussed by the library community and by the Ontario Library Association. We commend you and your staff for the flexibility and obvious concern that you have shown. Meetings with Mr. Vanderelst and others in your branch office have provided a very positive climate for the discussion of the amendments under consideration.

"We look forward to continuing the dialogue in committee, which we trust will lead to a resolution satisfactory to all concerned."

The letter is signed by Elizabeth Cummings, the immediate past president of the Ontario Library Association.

I read that into the record not in any way to suggest, as I know Miss Cummings would not, that all the points raised by the Ontario Library Association have been met in the amendments, because we know they have not, but rather to put on the record what I think is a statement of co-operation and openness that might perhaps have not been left in the minds of the members of the Legislative Assembly, were they to have confined themselves to correspondence that was read into the record the day we began our debate.

On motion by Hon. Ms. Fish, the debate was adjourned.

THEATRES AMENDMENT ACT (continued)

Resuming the adjourned debate on the motion for second reading of Bill 82, An Act to amend the Theatres Act.

Mr. Nixon: Do not get violent.

Mr. McGuigan: Mr. Speaker, at times one has to restrain oneself from being violent or exercising violence against those who peddle this stuff. I will talk about it a little later.

There is one aspect of the debate we adjourned last Tuesday night that bothers me. That is the fact that a number of us used the term "new pornography," and I include myself. Pornography is not new. If one goes to the art galleries and looks at the Van Gogh paintings of naked women, it can be argued that one is looking at the porn of that day.

Apparently men felt it was a mark of their station in life to have fat women in a world where a great many people went hungry, to demonstrate to the world they were good providers. It was shown in primitive life among native people that the warrior who could have a deerskin coat decorated with a great deal of handwork that took a lot of time showed what a great provider he was.

It was an adornment to him and not to the women who did the work or the women who were the subjects of the painting. It was an adornment to him to show that his wife did not have to slave all day in order to provide food. She had time to make these articles of art which he got, not she.

One might recall the greatest movie of all time. That is the one that is reputed to have been the greatest money-earner; or if not the greatest money-earner, at least the one seen by the most people. That was *Gone With the Wind*.

I think I was about 16 years old when I saw it. It was the first movie I had seen. I believe it was about four hours long, with an intermission in the middle. I remember the scene where Rhett Butler carried Vivian Leigh up the grand stairway.

Hon. Mr. Elgie: Scarlett O'Hara.

Mr. McGuigan: Scarlett O'Hara. The minister saw it too.

Hon. Mr. Elgie: Yes. Clark Gable carried Vivian Leigh.

Mr. McGuigan: The minister is much younger than I am. I did not see him at the movie.

He carried her up the grand stairway, struggling. Then, of course, the scene faded to the next morning.

Mr. Nixon: That is the way it should be.

Mr. McGuigan: My colleague should not say that until I say this: Then you find the actress, Vivian Leigh, whistling Dixie, or some other tune—I cannot recall the tune, but the implication was that her husband had raped her and all was very fine the next morning. Of course, this is the scene that is the subject of so much of what we are talking about, that women enjoy rape, are begging for it.

Do you remember *The Godfather*? I do not know whether I can name the actor in that but he is a well-known actor.

An hon. member: Marlon Brando.

Mr. McGuigan: Marlon Brando. It showed a scene in a nightclub in Cuba where a giant of a man walks out with a cape over him. They then bring a woman in bondage and tie her to a post, or some prop on the stage. The camera then fades away from the man and you do not see him but you see the cape drop to the floor and somebody in the audience says, "What a man." Members can guess what was going on. What followed, of course, was a scene of rape on the stage.

It was not explicit. A great many of these things were left to one's imagination. Perhaps it is better left that way. But the type of pornography we are talking about, even 10 or 15 years ago, was pretty mild stuff. Now we have reached the stage where we are saying, "Enough is enough."

I want to make this point to the minister, and to the members, that I am really not comfortable saying that a little bit is all right, or a certain amount is all right, or it is okay for this age but further down the road it is going to be different.

I know we do not live in an ideal world nor are we going to be able to go back and change *Little Red Riding Hood*. I know we are not going to do that. I would not want to suggest we do it. I know

there are people who fear that once we get into censorship, that is the first thing we will do. I want to say I do not like the idea of saying that a certain level is okay and from then on we are going to stop it.

The progression I described, which is a pretty mild progression, points out to the members that each producer of this material has to top the last performance in order to stay in the market.

9:50 p.m.

I am reminded of a story about George Jessel. He is reputed to have been the greatest toastmaster the United States, or perhaps the world, has ever produced. He was the master of ceremonies of a stage production in which the main participants were elephants. Of course, it was done in a very grand and elegant style. It was an elegant audience and an elegant situation. The master of ceremonies and all the attendants were dressed in formal clothes. However, the elephant did what most animals do when they are nervous and tense.

After the audience stopped laughing—and according to the story, it went on for a long time because of the juxtaposition of formality and earthiness—George Jessel turned to the elephant and said, "What are you going to do for an encore?"

That is really what we are faced with when these producers try to top themselves or try to get an encore.

Some producers dismember wild animals. In one of the most recent cases, they were pulling the eyes out of dogs and similar creatures. It is pretty hard to imagine why anybody would want to watch eyes being pulled out of dogs or any animals. Nevertheless, it is being done.

Some of the members have said the answer lies in strengthening the Criminal Code, making it possible for the police or individuals to lay charges with some hope that a conviction might be obtained. I want to look at the practicality of that suggestion. I am looking at it, of course, as a layman, not being a member of the learned society. I believe most of us are attracted to the idea of doing it all by the Criminal Code; I am myself.

One of the problems from a practical standpoint is the industry itself. Films are made for worldwide distribution. We reverse the process we use when we make an automobile. We make a standard version, with a standard frame and design, and then we add all the luxury items later to bring up the price.

They do the reverse when they make these films and videos. They include in the finished

product the worst things the human mind could imagine, the worst things the lowest common denominator in any part of the world could think of.

I remember seeing Bonanza on TV in the home of a friend of mine in Britain. As the program really was a rerun of the programs we had seen in Canada, I recognized the show. I did not recognize the explicit rape scene, because at home Bonanza was a family show and we did not see those rape scenes. They may have been implied, but we did not see them. They saw the whole thing in Britain. I began to feel a little squeamish about it, a bit ashamed of our North American export.

While I was squirming around in my chair, I looked at my companions and they were not batting an eyelid. It was accepted there. Other markets would accept far worse things. I am not trying to brag about my travels because I have not travelled very much, but wherever I go I try to observe as much of life as possible, including entertainment.

I saw a movie on TV in Hong Kong. Hong Kong is the source of some of the worst material in front of us. Apparently, the Hong Kong censor, the Hong Kong distributor or the person presenting the film had cleaned it up and what we saw in Hong Kong was less offensive in terms of its explicit scenes than the very same movie shown here in Ontario or in Canada.

If a producer submitted an uncut film to an audience and was then charged, would the charge be laid on one scene or for the entire movie? None of the courts has said we must have regulations saying what is permissible and what is not. I can imagine the lawyers might say, "You can lay charges only on this one scene, rather than against the whole movie." After all, when one charges a person, he is charged for the acts he has committed and not for being a person.

Showing a particular scene, it seems to me that is the item that would be charged. I will leave it up to the lawyers to say whether that would happen. However, if it were done scene by scene, we can imagine how many years it would take, with the film operating all the while. I am making the assumption that a person is innocent until proved guilty. The movie would probably run through a generation of viewers before it could be run through the courts to clean it up.

Will the Minister of Consumer and Commercial Relations (Mr. Elgie) comment on that aspect? Surely his lawyers have looked at it. We could have charges laid by citizens for scenes

from someone spitting on the sidewalk to scenes of people being disembowelled alive.

Mr. Nixon: Or spitting in the face of a negotiator.

Mr. McGuigan: That sort of thing only happens up north, apparently.

With the Morgentaler trial, we now have another uncertainty. That is the question of choosing prospective jurors. Large amounts of money are spent by wealthy defenders to practically guarantee the jury will acquit. In order to maintain some objectivity and to stay away from the reasons for the trial, I will simply talk about the process.

I have a series of articles written on the subject prior to the Morgentaler trial. I wish to quote from a number of articles that talk about the jury system. I will finish with some that were written just before the trial.

This is from the Toronto Star, December 8, 1982. It is entitled, "Market Research Enters the Courtroom." It is two years prior to the Morgentaler trial. It is by Rick Haliechuk.

"US lawyers now use polling methods to give them an edge with the jury. In a record-setting judgement last year, a Phoenix man won a jury award of \$2 million for back injuries suffered in a car accident. Luck? No, his lawyer attributes the huge award to jury research, a legal tool rarely used in Canada, but fast growing in favour in the United States.

"Before the trial, the lawyer tried out various arguments to a mock jury. Finally, he tried out one where he said the injured man would never again be able to stoop down and pick up his two-year-old daughter.

"It is simply part of the legal process," explained sociologist Leo Shapiro, who runs a Chicago market research firm which has worked for many US lawyers. Shapiro's firm does sophisticated polling of areas from where potential jurors will be drawn, canvassing their knowledge and thoughts about a particular case." That is in the US.

I have an article written about the virtues of juries. It is entitled, "Abolition of Juries Could Erode All Justice." It is from the Thunder Bay Chronicle-Journal, October 1, 1980. "The jury system is our basic guarantee of democracy," says Michael Proulx, a McGill University law professor. "Now, there are overtures to abolish trial by jury, something that has been with us for the last 900 years."

"Jury trials in civil cases in Quebec were abolished five years ago, and in Montreal only 10 per cent of criminal cases that could go before a

jury ever do. Senior District Court Judge Patrick Fitzgerald says: 'Juries are the final bastion of defence against despotism and dictatorship. In a country which has a jury system, whatever the maximum penalty is, in advance of the trial there is no way that the person who will decide guilt or innocence can be preselected.'"

10 p.m.

This is what he said in 1980. I am not sure it is true today. For example, he said that when there was a death penalty in Canada there was no one in the entire country who had the power of life or death over anyone else until that person was chosen to be a juror. Fitzgerald said, "Corruption by jurors and psychological intimidation are so rare that they are almost nonexistent in this part of Canada."

The judge said: "Jurors are a repository of common sense. They bring to any legal case a much wider experience than a judge could possibly do. In every criminal case, the jury is strictly the judge of the facts, while the presiding judge is the sole judge of the law. And they are a basic safeguard of our liberty."

Hon. Mr. Wells: This has nothing to do with the bill.

Mr. McGuigan: All right. I will not go any further on that if that is the feeling.

We come to the conclusion, by reading the article, that a jury of our peers, representing a cross-section of society and the requirement that all 12 must agree before conviction in a criminal trial, is in the end the best system. These people in theory have street smarts, a knowledge of the real world, not the world of Milton or John Stuart Mill, when they wrote their monumental works on theology, philosophy and politics. Collectively, they have a better hold on wisdom than a judge does.

I believe it and so do most members of this assembly, but I do have some serious doubts about jurors selected not on their ability to make objective judgements but on their likelihood of expressing, because of their background, their own particular biases toward society. If members of a jury can be chosen because they seldom, if ever, attend religious services, and if we accept that system, then would it be acceptable to choose members who were all Jerry Falwell supporters?

That is a serious question. I do not as a layman have any special ability to solve it, but as a person with at least in my own mind a certain amount of street smarts—I guess it would better be described from my background as horse sense—I do believe I have some right to question that system.

If we are to solve the question through the criminal court system, I believe we would have to have severe sentences, up to five years in prison. Fines alone would not deter an industry that has billions of dollars at its disposal for payment of fines. With a five-year sentence there is a mandatory jury system. One can bet one's last dollar that if the industry would have the money to select the best jurors, then it will have the best lawyers money can buy.

I believe the number of cases would clog the courts to the extent we could solve the problems of current law students and future graduates in creating a whole new court industry. There would probably be decisions ranging from the ridiculous to the sublime on the cases that did go through the courts.

There would be no standard by which distributors or producers could justify what amount of self-censoring they should do. As long as we have a market economy, we can be sure entrepreneurs will be testing the ceiling on the market to see how far they can go, or perhaps better expressed what they can get away with.

One can well imagine that police and citizens would give up the cases, because they would be bogged down in the courts, and those people would probably continue to earn money. I believe in the theory that one is innocent until proved guilty.

Authorities in Quebec have given up on the question of free-standing abortions because the courts, not the legislature, have made the law. Perhaps that is an acceptable solution in the eyes of some people. It is acceptable, I suggest, because they feel their particular bias has been well served.

I do not like the public decisions. I do not like it when laws are made in the courts. I do not like a system where legislatures are ignored. I do not like a system that empowers the President to bomb Cambodia and, at the same time, to deny it is going on. I do not like a system that claims it is working to solve acid rain problems, while it is backing away from protective measures.

It is an obscenity to do what that system allows, indeed encourages to be done by those whose only objective is to make money. There may be something to be said in favour of a jury defying Parliament. If that jury is representative of the public one could with some reluctance accept its decision; but when the jury is selected by using the latest scientific methods of probing a person's inner mind, I question the right of that jury to defy Parliament.

Those are some of the practical reasons we would have problems with relying solely on the Criminal Code. I do not think that should mean we should say we have solved the problem entirely by going to the censorship system. I do not have any problems in saying it is censorship. The enormity of the problem requires that we move now. As we see the need for more refined methods of dealing with the problem, we should search for those methods.

In closing, I want to mention something to all those in the Legislature and those who may have a further interest in getting some of the background on this matter. There was a symposium held in Toronto last spring called the Symposium on Media Violence and Pornography. I have their report, *An International Perspective: Proceedings, Resources Book and Research Guide*.

This was started by five people in the Hamilton area, Muriel Beatty, Joan DeNew, Doris Epstein, Gail Porter and David Scott. They put up a sum of money. I do not have a record of it, but it was something in the order of \$50,000. They gave this as private citizens to sponsor this symposium. People paid \$35 to go to it, and from these fees they cut their debt to in the neighbourhood of \$20,000. These individuals have carried this themselves.

There were social scientists there who had studied the problem and had a great deal of empirical evidence to show. By examining people in their youth and following through until they became adults, they could predict the amount of violence in which they would engage by looking at the record of how much violence they had watched over a period time as students.

They talked about a group of people in the United States that is developing, and we have seen it in Canada. They estimate there are about 100 mass murderers at large in the United States who wantonly kill people at random.

They are not necessarily people we might describe as paedophiles, those who are attracted to young children, who have some sort of inner psychological or sexual drive towards children; or largely people who cannot deal with adults, who are very weak and who take out their aggression and inadequacy on children.

10:10 p.m.

One of the most surprising things presented was the charge that fashion magazines are among the worst offenders in the way they present women. They present them all in submissive poses. There is one that was cited as being an instigator—one of the collector's items for a paedophile. It was a picture on the front of *Vogue*

magazine in 1983. It showed Jessica Lange with her daughter, about 12 years old, with full frontal nudity.

That may have seemed cute. Many people have snapped pictures of their children at two or three years of age in the bathtub, but in the hands of these paedophiles and the people who make an obsession of that sort of thing, it is violent, potent material.

They described one case where they found a fellow who had computerized his collection of these materials. They also found a network of people who use the mails to distribute these photos back and forth to one another. I raise these points to show the extreme things that happen, the amount of money involved and the enormity of the problem.

I want close by saying we are not really talking today about the question of whether we are open with sexual matters or whether we are a closed society. I think that is a matter of taste. If people want to do certain things in certain ways, even in public and even if it is offensive to others, as long as it does not harm others—and I question whether one can say it does not harm others, because it sets an example for young people—I do not think I would beat the drums for locking those people up.

But when we find people who are openly promoting and setting up a system, a whole new culture, based on violence, violence largely towards women and subjugation of women and other people, a moral and physical slavery, I believe we must take these measures, as inadequate as perhaps they are, to try to establish some sense of decency, some measure of control and perhaps some method of studying, researching and seeing where we go from here and what use this new act will have. It is not just a matter of passing the act and forgetting it. We need to follow these matters for many years.

It is not a subject one likes to talk about. My wife and I attended this meeting, and of course they showed us some of the violent material. It was two weeks before I felt well again. I talked to others who had been there, and they told me they had experienced the same thing.

The member for Oriole (Mr. Williams), who was at the meeting and brought greetings from the government, was wise enough not to stay there as long as the rest of us, who subjected ourselves to the entire proceeding. Anyone who saw it got a lasting impression that these things must be addressed and must be changed. If I were to make a criticism of this government it would be that it has been slow to act. It should have done

this some time ago. However, we should be thankful that at least we are now addressing the problem.

Ms. Bryden: Mr. Speaker, in Bill 82 we are dealing with a very contentious issue, the whole question of the right to freedom of expression and whether there should be any restriction on freedom of expression.

Recently the Legislature received a report on Group Defamation, prepared by a former New Democratic Party member, Patrick D. Lawlor, and in that report he has this interesting statement: "Freedom is and must be restricted in order to preserve freedom itself and the equal freedom of others."

This is part of the issue we are facing today, and the issue has been highlighted by the passage of the Charter of Rights. There has already been a legal decision examining the activities of the Ontario Board of Censors and its relationship to that Charter of Rights.

I remind members that the decision of the Ontario Court of Appeal in February 1984 had the conclusion in it that the section which permits the board to censor or snip films "is ultra vires as it stands" because that section "allows for the complete denial or prohibition of the freedom of expression in this particular area and sets no limits on the Board of Censors."

Mr. Speaker: Order, please. In accordance with the announcement made by the government House leader, I think we were going to deal with this at 10:15, and it already is 10:15.

Ms. Bryden: I would like to adjourn the debate then, Mr. Speaker.

Hon. Mr. Wells: How much longer does the member anticipate carrying on for?

Ms. Bryden: At least 10 to 15 minutes.

On motion by Ms. Bryden, the debate was adjourned.

10:26 p.m.

PUBLIC LIBRARIES ACT

The House divided on Hon. Ms. Fish's motion for second reading of Bill 93, which was agreed to on the following vote:

Ayes

Ashe, Baetz, Barlow, Bernier, Bradley, Conway, Cousens, Dean, Drea, Eakins, Edighoffer, Elgie, Elston, Epp, Fish, Gordon, Gregory, Harris, Hodgson, Johnson, J. M., Kells, Kennedy, Kerr, Kerrio, Kolyn, Lane, Leluk, MacQuarrie, Mancini, McCague, McGuigan, McKessock, McLean, McNeil, Miller, G. I., Mitchell;

Newman, Nixon, Norton, Pollock, Ramsay, Reed, Rotenberg, Runciman, Ruprecht, Ruston, Scrivener, Sheppard, Snow, Stephenson, B. M., Stevenson, K. R., Taylor, G. W., Taylor, J. A., Treleaven, Walker, Watson, Welch, Wells, Williams, Wiseman, Wrye, Yakabuski.

Nays

Allen, Breaugh, Bryden, Charlton, Cooke, Grande, Laughren, Lupusella, Martel, McClellan, Philip, Rae, Samis, Stokes, Swart, Wildman.

Ayes 62; nays 16.

Bill ordered for standing committee on social development.

The House adjourned at 10:30 p.m.

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 Bryden, M. H. (Beaches-Woodbine NDP)
 Conway, S. G. (Renfrew North L)
 Cousens, D., Deputy Chairman and Acting Speaker (York Centre PC)
 Elgie, Hon. R. G., Minister of Consumer and Commercial Relations (York East PC)
 Fish, Hon. S. A., Minister of Citizenship and Culture (St. George PC)
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 Stephenson, Hon. B. M., Minister of Education and Minister of Colleges and Universities (York Mills PC)
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 Turner, Hon. J. M., Speaker (Peterborough PC)
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No. 119

Hansard

Official Report of Debates

Legislative Assembly of Ontario

Fourth Session, 32nd Parliament

Friday, November 16, 1984

Speaker: Honourable John M. Turner

Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

Friday, November 16, 1984

The House met at 10 a.m.

Prayers.

STATEMENT BY THE MINISTRY

YOUNG OFFENDERS ACT

Hon. Mr. Leluk: Mr. Speaker, I rise on a matter that I know is of interest to many members of this House, namely, the implementation of the Young Offenders Act.

As honourable members know, the Young Offenders Act is federal legislation that deals with young persons who commit offences against federal statutes. This new act is intended to hold young persons more accountable for their behaviour while recognizing that they have special needs as persons not fully mature.

The first part of this legislation with respect to 12- to 15-year-olds was proclaimed on April 2, 1984. The second part of this legislation respecting 16- and 17-year-old young offenders will come into force on April 1, 1985.

The Ministry of Correctional Services has been assigned the responsibility of implementing the Young Offenders Act with respect to 16- and 17-year-olds. It is necessary, therefore, to introduce enabling legislation to permit the ministry to meet this responsibility. Let me outline some of the main provisions of this legislation, Mr. Speaker.

First, the bill gives legislative authority to the Ministry of Correctional Services to appoint provincial directors, youth workers and peace officers. As well, the legislation gives the necessary authority to establish places of detention and custody for young persons.

Second, it gives authority to the ministry to provide the necessary services and programs to young offenders to meet the spirit and intention of the federal act.

Third, the bill clarifies the status of 16- and 17-year-olds convicted of offences against provincial laws. While they are still considered adults, provision is made to ensure that such persons serve any custodial disposition in a young offenders facility.

Fourth, the bill establishes a mechanism to facilitate the free flow of young offenders, regardless of age, between facilities operated by

my ministry and by the Ministry of Community and Social Services where program needs dictate.

Finally, the bill introduces certain features similar to those introduced by my colleague the Minister of Community and Social Services (Mr. Drea) in Bill 77, An Act respecting the Protection and Well-being of Children and their Families. These features include the creation of "open" and "secure" levels of temporary detention and the establishment of medium and maximum levels of secure custody. A Custody Review Board is established to review classification, release and transfer decisions. Certain young offenders' rights are also set out, with an internal mechanism to review alleged denials of these rights. These features of the legislation will be proclaimed at a later date to correspond with the proclamation of Bill 77.

In conclusion, I am pleased to advise honourable members that the Ministry of Correctional Services is making solid progress in the planning and development of facilities and programs for 16- and 17-year-olds, and in the training of personnel to meet all requirements under the Young Offenders Act.

This ministry has an excellent staff of caring and dedicated individuals who already have extensive experience in supervising and assisting young offenders in this age group. I know they are approaching the challenges posed by this new legislation with their usual high degree of professionalism. My staff has enjoyed close co-operation with the Ministry of Community and Social Services and with the other government ministries which share responsibilities related to this legislation.

I am confident the services provided by this government to meet the requirements of the Young Offenders Act will be second to none in Canada and that the services we offer will meet not only the letter but also the spirit of that new law.

ORAL QUESTIONS

Mr. Ruston: This is a little too much—only seven ministers out of 30.

Mr. Elston: There is not one major minister in this House.

Mr. Nixon: The Premier (Mr. Davis) said the candidates had to attend question period.

Mr. Peterson: Mr. Speaker, this is rather excessive. Are you going to use your good offices to try to impress upon the Premier and other government members that important ministers have to be here occasionally at the very least? Would you attend the next meeting of the Premier and the four leadership hopefuls and put your point of view that they should be here at least one day a week? They are not following his admonition to be here two days a week.

Mr. Speaker: I am sure the Leader of the Opposition (Mr. Peterson) has made that request with tongue in cheek, because he knows as well as I do that I do not have that authority.

HYDRO REVIEW

Mr. Peterson: Mr. Speaker, the Minister of Energy will be aware that some of his colleagues aspiring to lead that party are adopting the Liberal point of view that Ontario Hydro has a great number of financial problems and that this monster is getting out of control. He will be aware of the remarks of the Treasurer (Mr. Grossman) yesterday, who said he would conduct a review of Ontario Hydro to rein in the \$20-billion debt. Obviously the Treasurer is concerned about the triple-A credit rating.

Does the minister agree with the Treasurer that we do need a review? Does he agree with the Minister of Agriculture and Food (Mr. Timbrell), who also said we need a review and would reconstitute the select committee to exercise some muscle against that great and growing monster? Which route does the minister choose to rein in Ontario Hydro?

Hon. Mr. Andrewes: Mr. Speaker, when the Leader of the Opposition talks about it being a Liberal idea, I assume he is using the capital L in that sense. I do not have any particular case to make for either the Treasurer or the Minister of Agriculture and Food in this regard.

I have spoken on occasion about access to information by the Leader of the Opposition. We have just completed about 12 hours of estimates; 16 hours were originally scheduled, but those hours were reduced at the request of some members. I do not recall the Leader of the Opposition being present during those estimates.

Mr. Peterson: The minister will be aware that Ontario Hydro costs \$5.4 million a day in debt servicing alone. He will also be aware of the jeopardy to the triple-A credit rating, such that the Treasurer and the Premier (Mr. Davis) had to go to New York cap in hand to attempt a salvage.

He will also know that the Treasurer, the chief financial officer of Ontario, has evinced great concern. He has said Ontario Hydro is saddled with high fixed costs for the multimillion-dollar Darlington nuclear project, that the wage settlements have been too generous lately and many employees in northern Ontario are earning far above the average community wages. He has attacked every foundation of Ontario Hydro.

As the minister responsible, what is he going to do to rein in this monster? Is he going to assess Darlington and consider whether it should be mothballed before we go ahead and waste any more money?

Hon. Mr. Andrewes: No.

10:10 p.m.

Mr. Rae: Mr. Speaker, I wonder whether the minister can explain why he is refusing to consider a review of the Darlington project when, if Darlington is completed, it will mean Ontario will become 70 per cent dependent on one form of generation—nuclear power. When there has been widespread concern expressed over the difficulties we have had recently and the fact that it is unwise for us to become so reliant on nuclear, as well as enormously expensive in terms of capital costs, can the minister give us an explanation as to why he continues to refuse even to agree to review it, when he knows that is exactly what is going to have to happen as soon as the new leader is installed?

Hon. Mr. Andrewes: Mr. Speaker, I said previously that I would not make a case for any of the leadership contenders. The outcome of that great January 26 convention will dictate to us and we will act accordingly.

The leader of the third party wants to be clear when he talks about the need for Darlington. We have made that case on many occasions in this House. We have talked about the replacement of coal-fired, expensive generation. We have talked about the importance of the nuclear program in the acid rain abatement problems that we face in this province and in this country. We have talked about the economics of nuclear energy.

We have talked about the performance of Ontario Hydro's reactors; eight of the 10 world-class reactors in terms of their performance are operated by Ontario Hydro. We have talked about the importance of giving a strong, reliable, effective, economic electrical system to this province, and we will continue to do that.

Mr. Peterson: These two gentlemen are expressing very serious concern about an agency that is the minister's responsibility.

Does the minister agree with the Treasurer, who said the utility's spending is higher than necessary in some areas, such as wages and operating costs? Does he agree with the Treasurer when he says some of the recent wage settlements have been too generous? Does the minister agree with him that Ontario Hydro is saddled with high fixed costs for the multibillion-dollar Darlington complex? Does the minister agree with him that it has to be reined in, and if so, as the minister responsible, what is he going to do about it?

Hon. Mr. Andrewes: I said previously that I do not have to make a case for any of the leadership contenders. They can make their own cases, and they are doing it well. I will act accordingly when that leader is elected on January 26.

Mr. Peterson: It looks as if the Minister of Energy will not have his job after the leadership is decided.

FAMINE RELIEF

Mr. Peterson: Mr. Speaker, in the absence of the Minister of Intergovernmental Affairs (Mr. Wells), perhaps I will ask a question to the Deputy Premier.

The Deputy Premier will be aware that today is the day that the federal government is going to announce its contribution for Ethiopian aid. He will be aware that there has been a phenomenal response across this country, both community-based and family-based as well as by a number of governments at all levels, to this great human tragedy.

He will be aware that there have been discussions in this House about the appropriate response for the government of Ontario. As of this point, a number of provincial governments have responded and this government has not. Will he tell us what his government is going to do to respond to that tragedy, and can we count on this government to exercise some humanity and make a response to assist in this historic tragedy?

Hon. Mr. Welch: Mr. Speaker, as the Leader of the Opposition will recall, in response to a similar question directed to my colleague the Minister of Intergovernmental Affairs, the point was made that there had been a fair amount of consultation between the government of Canada and this government at the time of the funeral of the Prime Minister of India, with regard to the subsequent stopover of the Secretary of State for External Affairs to become apprised of the situation at first hand and the assignment to Mr.

David MacDonald of some responsibilities in that regard.

The people of Ontario, as Canadians, will be responding to this very legitimate need involving human suffering. Once this government has been brought up to date with respect to the response of the people of Canada, of which we are a part, we will be seen in our proper role as extending aid. I cannot bring the honourable member up to date with respect to the most recent discussions. The Minister of Intergovernmental Affairs will be here shortly, and if he has any further information, he will share that with the House.

I remind the member that people the world over have been shocked, as the Leader of the Opposition has been shocked, with respect to the extent of this suffering among human beings in this world. We want to respond in a very positive way. The government of Canada, through the Secretary of State for External Affairs, will want to ensure that the Canadian response is meaningful and that the methods of distribution within the countries involved are in place.

We want to be seen as doing our share. I think it is very unfortunate to suggest that the people of this province, as Canadians, have at any time been negligent in discharging these responsibilities of compassion and caring.

Mr. Peterson: I do not want to be unkind; it is a handsome speech the minister has made, but he has not satisfied the question. Is he telling me the province in its own right will respond as Ontarians, or is he asking Ontarians to respond as Canadians through the federal government? The minister is mindful that a number of other people in other provinces have responded provincially and today, I assume, they will respond nationally as well.

Why is Ontario always so late to respond? Senior officials of the government were visited nine months ago by Dr. William Newell of World Vision, when he showed them film footage, discussed the problem and asked for assistance. Nothing happened. Again, on November 5, the government was sent a telegram asking for matching responses. To date it has not responded to that telegram. We have had some fine words from the Minister of Intergovernmental Affairs and today again fine words from the Deputy Premier.

Mr. Speaker: Question, please.

Mr. Peterson: Where is the action from Ontario?

Hon. Mr. Welch: If I may speak on an individual basis, I see myself as a Canadian. I see myself as part of whatever leadership and

initiative the government of Canada will take, and I do not think we should overlook the role we will all play.

I remind the Leader of the Opposition that my colleague the Minister of Intergovernmental Affairs has already commented on some of the statements made by the individual to whom the member opposite makes reference, and I do not think this is the time to question the high motivation of anyone. There is a real human need out there that has to be met and met effectively, and the people of Ontario, as Canadians, and the government of this province will be doing their part as a partner in the federal response.

As I indicated, the Minister of Intergovernmental Affairs will be here. I will draw his attention to the member's concern, and if there is any further information, he will share it at that time.

Mr. Rae: Mr. Speaker, given the fact that the government has made such a point of wanting to encourage the voluntary sector in many respects, would it not be an imaginative idea if the government of Ontario were to say to the people of this province, "We will match whatever you contribute voluntarily to various charities that are involved in famine relief"? Does the minister not think that would be not only an encouragement to people to contribute but also a real validation of those contributions? Would it not be an imaginative way for the government of Ontario to respond to this extraordinary outburst of feeling that has affected this whole province during the past few weeks?

Hon. Mr. Welch: Mr. Speaker, there is no question in my mind that, through the media representations of the extent of this problem, there has been a tremendous response on the part of people all over. What it requires, I take it, is some organization to ensure that all these resources can be made available to those who are in need. One only has to see the responses that are being made, as the honourable member mentioned, by churches, charities and others.

I do not know the extent to which the proposition advanced by the leader of the third party could be implemented, but I will be very pleased to ensure that it is drawn to the attention of the Minister of Intergovernmental Affairs as well.

Mr. Peterson: I am sure the minister will be aware that Alberta has responded generously and that British Columbia, Manitoba, Saskatchewan and Quebec have all made commitments in their own right as provincial governments. They have

responded quickly and generously in all those cases.

Does it not offend the minister just a little bit that we are being so reluctant to respond and come forward with any commitment when he is so quick to respond with other kinds of generosity? If Michael Kirby needs a dinner to celebrate his appointment to the Senate, the government can quickly find \$1,346 to entertain Senator Kirby, but it cannot find anything to help these people quickly and expeditiously.

10:20 a.m.

Does the minister, being a caring man, as I know he is, not feel somewhat uncomfortable that he would respond in one situation and not in the other? Will he take his own strong commitment to his colleague and say, "We must respond immediately"? Will he give positive signals to the people around this country and this province who are responding in their own way?

People are denying themselves lunch today and are responding with their own money. Young children are emptying out piggy banks. They are responding in a way that is really quite phenomenal. Surely the minister has a responsibility to lead. Obviously the money is available because so much is spent on superfluous things. Will he take that case to his colleague?

Hon. Mr. Welch: I am quite satisfied that the people of this province have shown their sensitivity and compassion in many ways. As the leader of the third party has reminded us all, they are doing so through many agencies and churches.

Perhaps I might be permitted to say that I am somewhat offended by the preamble to the supplementary question. The Leader of the Opposition takes one item out of the hospitality activities of this government to try to suggest that, because of it, there is something with respect to priorities.

I cannot understand how anyone would feel there are any partisan marks to be made by such a comment. As Canadians, the people of this country and this province have always been involved in this sort of thing, and we will be doing our share as we have in the past.

[Later]

Mr. Rae: Mr. Speaker, now that the Minister of Intergovernmental Affairs is in the House, I would like to repeat to him the question I put to the Deputy Premier. It concerns whatever assistance the government of Ontario is going to give to agencies helping Ethiopian relief.

Does the minister not think it would be an imaginative and effective approach to encourage the people of the province to continue giving by saying to them, "The Ontario government will match whatever you are prepared to contribute"? Would that not be an effective way not only to encourage people to give but also to ensure that the giving will continue and that the stake of both the people and the government of this province in aiding the people of Ethiopia, and indeed other regions affected by the famine, will be well known and effective? Would that not be an effective way to do it?

Hon. Mr. Wells: Mr. Speaker, I have just been reviewing the Hansard reports of some of the exchanges that took place. As I mentioned to the House about a week ago, we have been working with the Red Cross this week to see in what way we can be helpful through the Red Cross. In the matter of the famine in Africa, and I read some of the exchanges, particularly involving the Leader of the Opposition, and I would like to quote to him a press release issued by the Ontario division of the Canadian Red Cross on November 5. Today is November 16. This press release says:

"The Ontario division of the Canadian Red Cross Society announced today that it has been discussing with the department of intergovernmental affairs how best to channel Ontario government assistance to help relief efforts in Ethiopia.

"We are in constant communication with the Ontario government about emergent disasters everywhere in the world," says Sybil Geller, Red Cross president for Ontario.

"In fact last year—well before the media drew the attention of the world to the victims of the Sahel drought—the Ontario government donated \$50,000 to the Red Cross for its development work, a departure from their normal donation criteria. They made this exception just because the situation in Africa was growing worse by the day."

I would like to draw that to my friend's attention. That was a release issued by the Red Cross about 10 days ago. We are working with the Red Cross now, and our policy will be announced very shortly. As of now, our feeling is that we will work through the Ontario division of the Canadian Red Cross and direct whatever help is needed there through that agency.

SOCIAL WORKERS LABOUR DISPUTE

Mr. McClellan: Mr. Speaker, I have a question for the Minister of Community and

Social Services with respect to the strike that is currently taking place involving social workers, counsellors and instructors who work for the Metropolitan Toronto Association for the Mentally Retarded in group homes, training centres and sheltered workshops. It is now affecting some 3,000 developmentally handicapped clients, as I understand it.

I want to ask the minister a simple question. The final management offer that precipitated the strike involved a wage freeze for current staff and a seven per cent pay cut in the wage scale for all future employees by eliminating the wage grid. Does the minister think that was a fair or a rational offer for management to make to its employees?

Hon. Mr. Drea: Mr. Speaker, I must say that is the most flattering question that has ever been asked me. The member obviously thinks I am young, naïve and dumb enough to be sucker-punched all over the place by getting into an unfair labour practice.

There is a legal strike in progress between a local of the Canadian Union of Public Employees and the Metropolitan Toronto Association for the Mentally Retarded. What the member has asked me to do would break every labour law of this province.

Mr. McClellan: Nice skating. It is ministry policy, as I understand it, that the government has instructed the management of MTAMR to hold the line on its base budget, and that has the effect of making the minister a party to the dispute. Whether he likes it or not, he is a party to the dispute and is just as involved in the negotiations as the management that has put this preposterous offer on the table and precipitated this dangerous strike.

Since the minister has complete and total control of the purse strings, what action does he intend to take to sit down with the management of the MTAMR as quickly as possible to try to work out a sensible offer that can be used to get negotiations back under way, so there can be a sensible and rational ending of this ridiculous strike?

Hon. Mr. Drea: Naive and simple as I am, I am not going to be trapped in a situation where I take sides in a bona fide labour dispute. I do not understand how a member of this House can ask me to sit down with management and frame an offer. I think the Canadian Union of Public Employees would be heading for the Ontario Labour Relations Board almost instantly.

I am not in control of the management of the Metropolitan Toronto Association for the

Mentally Retarded. However, my ministry is closely watching this strike, particularly because most of the employees are in a direct care relationship with the developmentally handicapped. I can assure this Legislature that my ministry—I emphasize “my ministry”—will use all of its good offices to promote fair collective bargaining between the two parties. At this point, I am very hopeful that the two sides, because of the very great issue involved, which is the care of the retarded, might be willing to go back to the bargaining table and sit down and work out an agreement that is satisfactory to both as rapidly as possible.

Indeed, before the next question is asked, if, in the view of the ministry, or in the view of other experts it was felt to be of value, I would be very glad to call upon my friend and colleague the Minister of Labour (Mr. Ramsay), with perhaps a professional from his ministry who might want to become involved.

Mr. Wrye: Mr. Speaker, as part of the ministry's involvement in the matter, given that the level of financial support the Metro association is able to enjoy comes mainly from his ministry, has this strike and the offer that has been made caused the minister and the ministry to review the level of financial support to the Metro association?

Can the minister assure the House that there are no problems with respect to supervision and staffing of the various homes in the community? Finally, can he report on what is happening with respect to the workshops? Will they remain closed for the duration of the labour dispute?

Hon. Mr. Drea: Mr. Speaker, just to address the first point, the budget for the Metropolitan Toronto Association for the Mentally Retarded was struck some time ago. I think both sides knew what the budget was. Both sides are aware of collective agreements in the past. Therefore, I do not think it would be either fair or proper for the ministry to suddenly start interfering with the bargaining process by altering the budgetary formulas.

Second, to be realistic with respect to the level of care being provided for the developmentally handicapped, I suppose it depends upon what the member means by “problems.” I take it he means severe problems. We are monitoring the situation constantly and it is our view that, as of this time, no client is at risk. I think that is what the member was asking. Any reasonable person would agree they are not getting the level of service they had prior to the labour dispute, nor could they be expected to, but they are not at risk.

With respect to the workshops, the answer is yes.

Mr. Rae: Mr. Speaker, I am sure the minister is aware of the 167-page report by Woods Gordon Management Consultants, the existence of which was referred to in the *Globe and Mail* this morning, in which concern was expressed about the management effectiveness of the Metropolitan Toronto Association for the Mentally Retarded.

10:30 a.m.

It would now appear that the offer made by the association is a direct consequence of at least some of the practices that have been criticized in the report by Woods Gordon. Given this fact, does the minister not feel his ministry has some overall responsibility for the kind of offer the association is able to make in this instance? Does he think it fair that the clients, as well as the social workers involved, are now being asked to pay for the mistakes management appears to have made over the past few years?

Hon. Mr. Drea: Mr. Speaker, first, the report that is publicized so widely in the *Globe and Mail* this morning is seven months old. Second, a great many corrections have been made and were taken into account in the budgetary process. I suppose the most basic is that there is a new executive director. I do not think that report had very much to do with the offer or the present impasse.

Seeing how impartially I am always treated by various boards in this province, I want to make it very plain on the record that I am not talking about the labour dispute. I do not think it would be proper nor do I think it would be conducive to a settlement for the ministry to become involved and to dictate the terms of any proposed settlement or any labour agreement. Once again, I am not talking about any labour dispute.

GREAT LAKES WATER QUALITY

Mr. Rae: Mr. Speaker, I have a question for the Minister of the Environment, which I indicated to him I would be asking this morning. It concerns lead pollution, particularly by Dupont Canada in Maitland and the Ethyl Canada plant near Sarnia.

Is the minister aware that Ethyl put 26 tons of lead into the St. Clair River in 1982 and Dupont put eight tons into the St. Lawrence River in the same year, and that they are discharging lead into the Great Lakes system at levels that are almost twice the ministry's guidelines? What steps is the minister taking today to ensure this stops?

Hon. Mr. Brandt: Mr. Speaker, the honourable leader of the third party is absolutely correct in the figures he is using. Both the Dupont plant in Maitland and the Ethyl plant in the county of Lambton—immediately adjacent to a riding that is of specific interest to the Minister of the Environment, I might add—have been discharging lead into the natural environment, and particularly into the Great Lakes, at excessive levels.

There are some difficulties with respect to the operations of both of those plants and my staff have been working very actively with both of these companies in an attempt to develop the necessary technology to reduce the present discharge of tetraethyllead into the Great Lakes system, in one instance into the St. Clair River and in the other instance, relative to the Dupont operation, into the St. Lawrence River.

I have to share with the member some difficulties I have in this respect. At present, the technology required in order to abate that problem, or minimize or control it, is simply not in existence anywhere in the world. Both these plants have, at considerable capital expense, invested in new pollution abatement control equipment. I want to assure the member it is not that they have stood idly by and ignored the problem, but they have not as yet met the standards or objectives that have been established by my ministry.

I want to give the leader of the third party the assurance that we will continue to work on that problem. We are concerned about it. The alternatives at this point, quite frankly, are either to shut the plants down or to work with the plants to develop a technology that is acceptable from an environmental standpoint.

Mr. Rae: I have a report here, which I expect the minister has seen, from Environment Canada. It states: "Levels of alkyllead compounds in fish muscle were equivalent to levels in gutted carcass. Therefore, alkyllead contaminated fish could pose a risk of lead poisoning to fish consumers."

The reports goes on to say: "The concentrations of total lead in the blood and the gutted carcass of fish sampled near the sources are the highest ever reported."

Can the minister explain why, when New York state has issued a warning on the basis of Environment Canada's studies, a strong health advisory warning advising fishermen not to eat more than one meal of fish per month of any species caught in the St. Lawrence River near Maitland, the minister's own little green book

that came out contains no such warning and no such advice to people with respect to the dangers of eating fish that are found near both these plants?

Hon. Mr. Brandt: Part of the reason is that standards used differ in the various jurisdictions. New York state looks with some envy, I might add, on the green book that the member just held up. It has indicated to us on a number of occasions that it would like to have a similar type of information booklet available to the fishermen, both recreational and commercial, in its area.

In connection with the lead problem as it relates to the fish in the immediate vicinity of Maitland, there has been a problem there. We are monitoring it on a regular basis but my staff, who have the same standard of scientific credentials as the staffs in New York state, have not indicated it is a problem that at this time would require the suspension of the eating of these fish.

Thankfully, the problem at the Ethyl corporation outlet is not nearly as severe at this time, but we are not satisfied with the results we are getting. We want to bring those lead levels down to a more acceptable level and to meet the objectives and the standards we have established. We intend doing that.

Mr. McGuigan: Mr. Speaker, is the minister not ashamed that we have to have a green book to tell us which fish are safe to eat? It seems to me that would be comparable to having a street guide to say one could walk on Yonge Street at certain hours of the day but not at other times because of danger to one's safety.

Is he specifically aware that there is an alternative to this problem of using lead to lower the octane rating of fuel? It is being pursued in the United States quite vigorously. That is the matter of using alcohol as a suppressant to lower the octane rating. It is not being used as an extender of fuel; it is being used to control the octane rating.

Has the minister made any move to introduce such a system into Canada and do away with the use of lead?

Hon. Mr. Brandt: Mr. Speaker, as the member knows full well, there are a number of substitutes for tetraethyllead that could be used as an additive for gasoline in addition to the one he has mentioned. I want to share my concern with the member. It is that some of those substitutes could well be far more environmentally harmful than tetraethyllead.

This government has gone on record as being in favour of a reduction in lead levels to

approximately those that are now in place in the United States.

Mr. Elston: If it is in favour of it, let us get the lead out.

Hon. Mr. Brandt: That is something the member's party ought to think about on occasion, getting the lead out.

Mr. Elston: We would do it.

Mr. Speaker: Order.

Hon. Mr. Brandt: I have provoked them now.

Hon. Mr. Welch: Why did you have to wake them up?

Hon. Mr. Brandt: I am sorry, I did not mean to do that.

I want to say that the responsibility for the reduction of lead as an additive in gasoline is a federal responsibility. We have had some input into that question. I say to the member for Niagara Falls (Mr. Kerrio), I am talking about the former federal government. As he well knows, the former government was the one that initiated the whole study on lead-level reductions.

I will stop at this point, Mr. Speaker. I was going to go on to speak about the green book. If you will give me the time, I would be happy to answer that question as well.

10:40 a.m.

Mr. Rae: Yes, it is the federal government's responsibility but the member for Kingston and the Islands (Mr. Norton), when he was Minister of the Environment, wrote to the federal government saying it was the position of the Ontario government that it did not want to change the regulations with respect to the use of lead in gasoline. That was the position the Ontario government expressed. It did not want to see any change with respect to the use of lead in gas.

We note from the Sarnia Observer of April 1983 that the minister was quoted as saying to the cabinet committee on resources development that he wanted more studies to be done before any changes were implemented. That is the position of the Ontario government. Let us not pretend that the Ontario government has not taken a position.

Mr. Speaker: Question, please.

Mr. Rae: I will get back to this basic question: Why is it that in New York state they have used the information that came from Environment Canada to state very explicitly that there is a problem and a danger. They have referred to the World Health Organization standards and so on.

Why have they done something with respect to their fishermen and anglers that the minister is not prepared to do for the people of Ontario? Can he explain that?

Hon. Mr. Brandt: I think the preamble to the question demands a response. The leader of the third party has indicated that my position, as reported in my local newspaper, was that this government was not in favour of the reduction of lead. He is incorrect in making that statement.

This government has taken a position opposite to that of Environment Canada. We have indicated that a reduction in lead levels in gasoline is very consistent with the policy of this government. What I have said and what this government has said is that before there is a complete and total removal of all lead in gasoline, there should be further study to determine whether that is in the best interests of all our citizens, recognizing that lead in gasoline is used, and his party is always so concerned about these people, by people who drive older cars, who are in a relatively lower economic position and who, therefore, require the lead to continue to operate their automobiles.

It is also a fact that lead in gasoline is used for certain types of small motors such as saws, power mowers and those kinds of things. If we are going to remove lead from gasoline totally and completely, we must find a substitute. I only suggest to the member our search to find that substitute, as the industry is now doing, has to give us the assurance that it is going to be environmentally safe in every respect.

I will look into the second part of the question relative to why my ministry has not reacted to the problem of the lead standards.

I want to assure the leader of the third party that we published that booklet with the specific purpose of letting people know the safe level of fish taken in the waters of Ontario. I am completely convinced we are publishing an accurate report at this time.

ADHERENCE TO MANUAL OF ADMINISTRATION

Mr. Conway: Mr. Speaker, I have a question to the Deputy Premier concerning the neutrality and impartiality of our provincial public service.

The Deputy Premier will be aware that the Ontario Manual of Administration contains a very specific prohibition against any activity by a crown employee in partisan politics. I read, for example, a section of the Manual of Administration that says, "Except during a leave of absence granted to be a candidate in a provincial

or federal election, a crown employee shall not...solicit funds for a provincial or federal political party or candidate; or associate his/her position in the service of the crown with any political party."

Given that policy of the government, can the Deputy Premier explain how Mrs. Tessie Jew, now a nominated provincial Progressive Conservative candidate, has in recent weeks (a) been helping to raise funds in a public way for Brian Mulroney, (b) been actively and publicly campaigning for the federal Progressive Conservative candidate in the federal riding of Parkdale-High Park, and (c) announcing and taking considerable credit for public policies of this provincial government? Can the minister explain how that is not in all ways an explicit violation of the Ontario Manual of Administration?

Hon. Mr. Welch: Mr. Speaker, obviously I cannot give any explanation to the honourable member. Perhaps it will be sufficient to take the question as notice, since all the information he has shared with us is spelled out in Hansard. I will refer the matter to the Chairman of Management Board (Mr. McCague) and have him report back at the first of the week.

Mr. Conway: I am quite happy to share the information with the Deputy Premier because Mrs. Jew has been very active and very public in her countless partisan activities.

Mr. Speaker: Question, please.

Mr. Conway: Given this government's past record of harassment, and I think of our friend from Hamilton Mountain who got no benefit of the doubt from this Tory government nine years ago, would the Deputy Premier also take into consideration the recent injunction of the Premier that there be a very strict application of the public policies as set out in the Public Service Act and the Ontario Manual of Administration. According to the Premier, these policies should apply not only to the four horsemen of this leadership race, but also to people such as Lou Parsons and Tessie Jew who, by dint of their ongoing public and partisan activities, make a joke of the notion that we have in Ontario an impartial and neutral public service.

Hon. Mr. Welch: I will be very happy to include the supplementary question as part of the review and report back next week.

Mr. Rae: Mr. Speaker, does the Deputy Premier not feel this kind of incident with respect to the activities of an individual civil servant that can be dragged up at any time raises the fundamental question of what precisely is wrong

as long as these activities do not interfere with the civil servant carrying out the responsibilities of his or her particular job? What is wrong with an individual public servant being able to participate in the political process?

Hon. Mr. Welch: Mr. Speaker, I assume the motivation behind the introduction of such legislation in the first place was to ensure a high degree of objectivity as far as the public service was concerned. If we think in terms of the thousands of public servants and there happens to be one exception, that would be one of 50,000, which hardly makes for a stampede of violations of rules and regulations.

In the spirit of the question period today, I think the deputy leader of the opposition is entitled to some explanation. I will get that for him for next week.

PORK EXPORTS

Mr. Swart: Mr. Speaker, I am sure the Minister of Agriculture and Food is aware of the recent threat from the pork producers in the United States. They are initiating action to have penalties imposed against the import of pork and hogs into the United States.

The minister must be aware of the devastation this would cause the hog producers in this nation and in Ontario if it is upheld. We export more than half a billion dollars worth of pork and hogs to the United States. What is the minister going to do, directly or indirectly through the federal government, to head off this proposed devastating effect on our hog producers?

Hon. Mr. Timbrell: Mr. Speaker, I am pleased the honourable member raised the question because it is an important one. We have already been working very closely with the Canadian Pork Council and with the government of Canada to answer these claims. As I recall, there were some hearings in late September in Iowa on this subject. I think the Canadian Pork Council and the federal officials who attended that meeting made some very effective representations.

Notwithstanding that, a number of American pork producers have been able to use the political process in the United States to take the matter one step further. A hearing is going to be held into the question of whether the federal Agricultural Stabilization Act and the payments made thereunder to hog producers constitute a subsidy of hog and pork prices.

Our position, particularly because the Agricultural Stabilization Act is at less than current market prices—

Mr. McGuigan: Retrospective.

10:50 a.m.

Hon. Mr. Timbrell: Thank you very much. It is retrospective. It is not a guaranteed income, let alone a subsidy above market price.

Our position is that these allegations are unfounded. I can assure the honourable member, particularly because the hog industry is so important to this province, that we will continue to assist the pork council and the federal government in any way we can to arm them with all the facts and figures they need to refute these unfounded allegations.

Mr. Swart: The minister has already stated the alleged reason the action has been brought by the hog producers in the United States, but I am sure the minister can assure them he is pure. Certainly in this province he has not done a single, solitary thing to help the pork producers, not a dollar of subsidy.

Mr. Speaker: Question, please.

Mr. Swart: He did not mention that a hearing is being held before the United States International Trade Commission 10 days from today on November 26. Is his ministry going to be represented there? Will the minister present a strong case on behalf of the hog producers of this nation, and particularly of this province?

Hon. Mr. Timbrell: First of all, I did refer to an upcoming meeting; I did not mention the date or the name of the commission, but I did refer to it. Canada will be represented at that meeting, I understand, by the federal government and by the national producers' organization. The individual provinces will not be represented; we will feed all our information through the federal government.

While I am on my feet I think I should point out to the member that, as he is well aware, we do have a stabilization program in this province for the sow-weaner industry that is complementary to the federal stabilization program.

Finally, if this government had accepted the position that the member for Welland-Thorold and his leader advanced about six or eight months ago when they called for \$3 million to \$4 million a week in subsidies to the red meat industry, we would lose the case before the American commission.

Mr. Riddell: Mr. Speaker, in the spirit of co-operation between Brian Mulroney and Ronald Reagan that we hear so much about, what could possibly be the reason the American government now wants to ban or limit the export of our good quality pork? There was a time when

we had a government that protected Canada's interests.

Mr. Speaker: Order.

Mr. McClellan: What year was that?

Mr. Rae: Was that with Trudeau?

Mr. Speaker: Order. I heard the question very clearly.

Hon. Mr. Timbrell: Mr. Speaker, first of all I take it the honourable member is referring to the former federal government, which would not follow our advice and protect the domestic tomato industry by taking action against subsidized imports, the same federal government that would not take our advice and take action against subsidized imports of wine and would not take our advice and act against subsidized imports of beef.

PCB DESTRUCTION FACILITIES

Mr. Kennedy: Mr. Speaker, I have a question for the Minister of the Environment.

Mr. Peterson: Larry feels very strongly about the farmers.

Mr. Kennedy: Settle down there until I get my question.

Would the Minister of the Environment give us an update on the hearings into the destruction of polychlorinated biphenyls by the proposed mobile units? Does he feel this technology is going to work? In particular, how does he feel about the hearings? Is he encouraged by them at this point? Can he give us a general outline of that?

Hon. Mr. Brandt: Mr. Speaker, I appreciate the question raised by the honourable member. The hearings are going very well. There have been nine meetings in various Ontario communities where large quantities of polychlorinated biphenyls are located, and the actual hearings are currently under way in Toronto. The hearing panel is required to report back to me 60 days after the conclusion of those hearings.

In municipalities like Mississauga, where some PCBs are located, we have had extensive discussions with the staff and some of the local representatives about the problem of destroying PCBs.

We have every assurance that we have technology today that can very safely and adequately dispose of this particular contaminant in our environment, and I want to assure the member that the process of the hearings is to give the local communities, such as Mississauga, this type of assurance so they know we are proceeding in a very safe and orderly fashion and that the

community will have an adequate opportunity for input.

Mr. Speaker: Thank you.

Hon. Mr. Brandt: I might add as well that we have taken an unprecedented step—this is one final point, if I might.

Mr. Speaker: I am sure it is, but maybe it will be asked in the supplementary.

Hon. Mr. Brandt: I hope so.

Mr. Kennedy: Part of the supplementary is to ask the minister if he would give us this extra point he was just going to mention.

When does the minister feel the hearings will conclude and in particular, when will the report be ready? Is he satisfied that this technology is going to be the answer?

Hon. Mr. Brandt: There are a number of different technologies that could be applied, and we are looking at them in the context of the whole question through the hearing process. One of those technologies is high incineration of PCBs; the plasma arc is another type of technology that could be used, and there are applications of a chemical mix that can be used at very low levels of contamination of PCBs. So there are three that I mention to the member now, all of which could be applicable in this particular case.

The point I wanted to mention during the course of my first answer, which the member so graciously raised in his supplementary, is the fact that in this particular instance we have moved in a rather unusual way. We have provided to those individuals and organizations that wish to make representations before the hearing panel an amount of \$50,000 for intervenor funding. It is a first step in the direction of making sure the community has adequate resources to have its case heard very well and responded to fairly and equitably by the hearing panel and by my ministry.

Mr. Ruprecht: Mr. Speaker, the minister has just indicated this is great, that \$50,000 has been given out. But how does he account for the fact that Mr. Starkman, who appeared as a representative of five groups from London, Ontario, says that the whole process is a farce? As a representative of five groups he cannot call expert witnesses, first, because he does not have enough money; and second, because he cannot pay for someone to stay there all day.

Here comes my question: there are at least seven groups in the west end of Toronto. Four have made application for funding to this minister and none have received any money. Does the minister know who got the money? A

group that is tied in with the city council of Toronto.

Mr. Speaker: Order. You are supposed to ask the questions, not answer them.

Hon. Mr. Brandt: Mr. Speaker, I thought the answer he gave to his own question was of low quality. Of course, the question was not of particularly high quality either, but we have come to expect that, I might add.

With respect to the applications that have been made—he says to my ministry—for the intervenor funding, I have personally not made one decision with respect to who gets the money. That decision is made by the hearing panel and not by me.

Second, the hearing panel has established, I think, very sensible criteria. The member opposite will have difficulty understanding them, I know, but the hearing panel has established very sensible criteria with respect to the need to hear a broad cross-section of community input on this issue. It is therefore attempting to avoid duplication of input, so it is not going to be providing intervenor funding to two or three or more groups that are essentially representing the same focused viewpoint from the community. I think even this member should be able to understand that.

11 a.m.

ACTIVITIES OF POLICE

Mr. Elston: Mr. Speaker, I have a question for the Provincial Secretary for Justice. It concerns Mr. Baker from Hamilton. It is a question we have asked of the Solicitor General (Mr. G. W. Taylor) and of the Attorney General (Mr. McMurtry), and I think this time we should address the question to the Provincial Secretary for Justice.

Several months ago, a colleague of mine, Sheila Copps, the then member for Hamilton Centre, asked in this House whether compensation would be available to Mr. Baker as a result of allegations of mistreatment in the prying loose from him of a confession to a murder charge. Will the minister tell us whether he has come up with a policy for the compensation of victims, and in this particular case for Mr. Baker, to compensate him for the costs that have been incurred by legal aid and by his father in defending him at trial? Can the minister give us that assurance this morning?

Hon. Mr. Walker: Mr. Speaker, I cannot give the assurance that the policy will be revealed at this moment by me. I can say, as the Attorney General indicated before the committee, that within his ministry a policy was being prepared

with respect to the issue that has been raised, similar to this one, although related to another matter. In the light of current matters going on before the courts, he was not prepared to reveal that.

It would be inappropriate for that to be revealed until such time as the commission's report has been received. It will have to await that report. That is the Attorney General's domain, and I presume he will be providing it in due course, once the commission's report is received. Perhaps it has some bearing on other cases as well, including the one the honourable member has raised, although at the moment I am not prepared to say that.

Mr. Elston: It seems to me that what happened after the great presentations by that gentleman when he was considering running for the leadership of the Conservative Party was that he has put a number of policy issues on the back burner for some time, and people like Mr. Baker and his father will have to wait several months, if not years, before that policy comes out.

Mr. Speaker: Question, please.

Mr. Elston: Can the minister tell us whether he will make available to the members of this Legislative Assembly the studies and consultations he is making at this time in relation to compensation of victims, such as Mr. Baker and others, for the legal expenses they have incurred as a result of wrongful acts being attributed to them?

Can the minister provide us with some evidence that he is actually moving in this field so people such as Mr. Baker can have some hope that they will get compensation or have access to it some time before they grow old and receive their old age security cheques?

Hon. Mr. Walker: The answer I gave before has to apply in this case. The Attorney General indicated very clearly to the committee what he is prepared to do. We have to await the commission's report. We are not going to reveal prematurely either the policy, the preparations for that policy or the papers prepared for consideration of that same policy. It would be inappropriate. I am sure the member would be the first person to assail the Attorney General for doing just such a thing.

I should indicate that the subject is one the provincial ministers responsible for justice will be discussing in St. John's, Newfoundland, next week. I will be attending that conference, and the matter the member is raising will be part of our discussion process.

TELEVISION IN LEGISLATURE

Mr. Bradley: Mr. Speaker, on a point of order: My friend the member for Sudbury East (Mr. Martel) and I have often noted the time at which the television cameras leave. During today's question period, the first camera did not leave until there was about six and a half minutes left in the question period, and at the end of the question we still had cameras in the House. Some progress has been made.

INTRODUCTION OF BILL

MINISTRY OF CORRECTIONAL SERVICES AMENDMENT ACT

Hon. Mr. Leluk moved, seconded by Hon. Mr. McMurtry, first reading of Bill 149, An Act to amend the Ministry of Correctional Services Act.

Motion agreed to.

Hon. Mr. Leluk: Mr. Speaker, as I mentioned in my earlier statement and for the benefit of those members who were not present for that statement, the bill is required for the extension of the Young Offenders Act, Canada, to 16- and 17-year-olds in Ontario, which will take place on April 1, 1985. It also deals with 16- and 17-year-olds who are detained before trial or sentenced to terms of imprisonment under the Provincial Offences Act.

11:10 a.m.

ORDERS OF THE DAY

House in committee of supply.

ESTIMATES, OFFICE OF THE DEPUTY PREMIER (continued)

Mr. Wrye: Mr. Chairman, I am particularly pleased to be able to join once again this year in the debate on the estimates of the Deputy Premier and, more important, the Minister responsible for Women's Issues.

Before I offer some opening comments by way of my party's positions on the matters affecting the women of Ontario, I want to respond briefly to some aspects of the minister's remarks.

Two weeks ago, a member of my staff requested the latest figures on the status of women crown employees from the women crown employees office. We were advised that the 1983-84 report would not be released for at least one month and that the figures were not available until that report was released.

It was thus with great interest that I noticed the minister used 1983-84 figures in his opening

statement; at least I assume the figures he quoted were 1983-84 figures about women crown employees, because they were not the same as those figures listed in the 1982-83 report.

Since my friend the minister apparently has the most recent statistics, it would appear the report is finished, and I and my colleague the member for Beaches-Woodbine (Ms. Bryden), I am sure, would appreciate it if the minister could provide for us, perhaps on Monday, the kind of equal opportunity that those of us on this side need to do our work during these estimates. I ask him to get us a copy of the 1983-84 figures on women crown employees.

There are a number of other things I want to touch on in the minister's opening remarks.

I thought it was very significant that in his 37 minutes of opening remarks and many pages encompassing many topics, there was no mention at all, not one word, of equal pay, of Bill 141, which has been before this House for many months, or of the issue of equal pay for work of equal value. When this government puts something on the back burner, it puts it on the back burner. I am afraid I must tell my friend he is going to have to mention it at some time during the estimates, because I suspect there may be a few questions on it.

I also want to comment briefly on the minister's remarks on affirmative action. The minister takes pride in the fact that in the decade between 1974 and 1984, the number of women in Ontario's public service increased by four per cent, standing today at slightly more than 42 per cent. What is interesting is that in the same period, the number of women in the entire Ontario work force increased by seven per cent and is now at 43.1 per cent, a full percentage point ahead of Ontario's public service sector force.

As well, I noted that although Ontario has met its goal of a 30 per cent female staff in the administrative module, and the government holds that out as a great accomplishment, it has not yet met it in individual categories. I note as well the minister's remarks, and I just want to help him by making sure we put them on the record: "Women comprise only eight per cent of the Ontario government's executives, and there are six categories under the administrative module where women comprise less than 18 per cent of the staff." That is a matter the government should be attending to.

With respect to affirmative action in the sectors outside the purview of the government itself, according to the staff of the women's

directorates not all of the 258 companies which the minister listed as involved in the voluntary affirmative action program actually have formal affirmative action programs; some have merely expressed support for the idea. The women's directorate has no listing of how many companies have what kind of programs and, frankly, the 258 becomes more a number than anything else.

With regard to the aspect of income support, while the problems of women that result in low pensions are mentioned—for example, part-time employees and low salaries—I noted very few solutions to the problems are mentioned in the minister's speech. I could not find any record in Hansard of the Treasurer (Mr. Grossman) introducing pension reform proposals in April, as the minister seemed to suggest, probably because he did not. Indeed, those few proposals that were mentioned by the minister match what the Women's Perspective Advisory Committee proposed to our caucus and was approved by our caucus some time ago in terms of pension reform.

Finally, turning very briefly to the matter of family violence, I would be wrong not to congratulate the government for some initiatives in this area, because it is the one area where it deserves the most congratulations. However, I despair at the continued failure of this government to initiate block funding for transition houses instead of constantly creating emergency operating funds. The short-term emergency has long since passed. The directorate has had a chance to review in a very meaningful way, over a period of time, the future of transition houses and we should be getting on with the job of putting permanent funding in place.

I also want to suggest that while the victim assistance program is a good idea, it is very close to what the victim advocacy clinics were doing. If it is, I am not sure why the government cut funding to Hiatus House in my own community, for example, when it was already doing a job which the government now wants to give to another agency. In fact, I can say to my friend that my own review of what has been going on since the funding to the complaints support program was cut in the late spring indicates matters are not proceeding as smoothly or anywhere near as well as they were before the cutbacks came.

I am particularly pleased we will have an adequate amount of time this year to explore with the minister the actions and initiatives of this government and to examine where these initiatives are failing to meet the legitimate needs of

the women of Ontario to play their full role in the life of this province.

I suspect the great debate on women's issues during the recent federal election campaign represented for many of the people of Ontario, indeed for many people of Canada, an exercise in consciousness-raising. For them, it represented a first exposure to the host of economic and social issues which face the women of this country and this province and which, until they are more nearly resolved, will prevent these women from playing a full role in the continued development of the nation.

I hope such a debate will be held in the provincial election campaign next year. Indeed, I will be watching closely as the candidates for the Premier's chair discuss the issues in the next two and a half months. I suspect, however, that the important questions we will be raising in the next few hours, questions that were also raised during the debate in late August, somehow will very much take a back seat during the upcoming Tory leadership campaign. Indeed, I note with some sadness that the unexpected has already begun to happen; I have read nary a word on the matter of women's issues thus far.

If I am correct, it will simply be one more indication that the government views the resolution of these problems as being somehow more trivial and unimportant than many of the other matters that affect this province. We in the official opposition reject that argument. We believe the issues that will be raised in the next few hours are crucial not just to the women of Ontario but also to the development of this province as a whole.

With those preliminary comments, may I suggest to the Deputy Premier (Mr. Welch) that I was tempted simply to reread my opening statement of last year, update a few figures and leave it at that. For in the past 12 months, despite all the rhetorical flourish that accompanied the Deputy Premier's opening remarks, precious little has happened to improve the social and economic quality of life for the women of Ontario. It is those issues which I will address in the remainder of my opening statement. It is those issues which I hope the Deputy Premier will address more fully as questioning proceeds in his estimates in the next week or so.

Last month, the minister distributed copies of a report by Touche Ross and Partners which he commissioned and which was delivered to him in December 1983. In releasing it, the minister indicated he would await with interest the comments of the opposition critics on the

recommendations of the report as they pertain to the Ontario Status of Women Council and the Ontario women's directorate. For the next couple of minutes, I would like to take up that challenge and make a few comments on the document and the directions it proposes. Most of those comments will be targeted at the advisory council, although some will deal with the overlapping responsibilities of the women's directorate.

11:20 a.m.

At the outset, I am disappointed it took so long, almost 10 months, to release the report, particularly in view of its quality. With respect, I am not sure this minister and this government got much value for their money.

As I read it, the report for the most part tells us what we already knew in terms of organizational structure and direction. However, when it came to the crucial issues, I believe the recommendations fly in the face of the facts that were presented in that same report. Let me also suggest that there appears to be some sloppiness. I would like to offer two examples that occurred during the discussion of remuneration on page 15.

First, having proposed a president and a vice-president, the report proposes certain per diems for a chairman and a vice-chairman, whoever they might be. Some might view that as a small error, but it seems to me it says a lot about the quality of the report as a whole when a document would so easily interchange the titles of the two most important individuals on the advisory council to the Minister responsible for Women's Issues.

There is a second example of the same thing on the same issue. In discussing the level of remuneration, the report suggests that the present per diems should be substantially increased because they are, to quote the report, "apparently lower than many other advisory councils."

Apparently lower? Does the author not know whether the information given by those interviewed is correct or not? Surely it would have been a simple enough matter to check out the comparable rates paid to the head of the Ontario Status of Women Council and some comparable person. "Apparently lower" does not suggest to me that a great deal of factual research went on. These sloppy mistakes make one wonder about the quality of the report as a whole.

Against that backdrop, I want to examine the key recommendation of the report on the advisory council, as I see it. That is the recommendation that the council president con-

tinue to be a position filled only on a part-time basis, specifically two or three days a week.

As an aside, one also wonders at the suggestion that a commitment of 20 to 25 days a year for a council member would be sufficient to fulfil the role of membership and the duties and responsibilities that have been outlined in the brief, such as helping set council priorities, sharing committees on task forces, reviewing recommendations and speaking for the council when delegated by the president. The list goes on and on.

If so much is asked of council members for a minimum potential commitment of 20 to 25 days a year, then the council president is literally viewed as some kind of superperson for her two to three days a week.

Most distressing, however, is the varying mandates of those involved as outlined in the report and the inadequate resources then proposed to fulfil those mandates.

Let me quote from the report, on page 1: "The appointment of a minister and the establishment of the directorate has changed substantially the structure for identifying and responding to women's issues. The minister now provides the key policy and political focal point; the directorate develops and co-ordinates policy and program initiatives, providing the major government advice to the minister; the status of women council gives independent and external advice, presenting the view of women and the public."

Having set out that direction, the report, almost incredibly, then proposes a role for the president that is so limited in the amount of time devoted to the job that this individual and this council can hardly hope to play their part in the three-way balance envisaged in the introduction quoted above.

No one is suggesting that the council and the directorate be balanced in terms of resources and personnel, but the imbalance in this case has been and will continue to be unacceptably large.

The report also raises a number of other issues I would like to comment on briefly, and perhaps discuss as we get further into the estimates.

I have some real concerns about the recommendation that the executive director of the women's directorate should sit on the advisory council as an *ex officio* member. While the object is obviously to provide some additional two-way communication, I am concerned that the very presence of a government bureaucrat could be inhibiting to the independent advisory organization.

My concern is not alleviated by the whole tone of the report, which repeatedly seems to forget

that the advisory council is absolutely useless if not totally independent, and then catches itself and returns to the theme of independence.

Let me quote from page 26 by way of example: "While it is essential that the council maintain its independence from government, it must also work co-operatively with the directorate in appropriate areas. It is essential that the minister, the president of the council and the executive director share information on a regular basis as to the issues that have been identified and the priority issues which are to be addressed by each group."

While I applaud the need to work co-operatively, it seems to me that the necessary independence of the council has not been adequately stated as a fact of life, whether or not the priorities can be set in co-operation with the government.

Perhaps I am quibbling, but I think not. I think it is a very important aspect of the very mandate of the council. My concern is to protect the integrity and the independence of the council from a directorate that I would suggest to the minister most humbly is more than a shade too political for my liking. Perhaps we can get into the political nature of the directorate during the debate on the appropriate votes, since it is a very real concern that I want to raise with the minister.

In May of this year, the Deputy Premier spoke to the third annual federal, provincial and territorial meeting of ministers responsible for the status of women. At that meeting, as is his nature, the minister waxed eloquent about the need for a new vision in the field of child care. A new vision, we agree with the minister, is a necessity; indeed, it must be a priority for any government that truly intends to deal with the lack of economic and social equality for half the population of this province.

In his speech, the minister had this ringing declaration:

"I would argue that we are entering a new era in terms of the provision and financing of child care. Child care is no longer a welfare issue concerning only the needy. It is as well an employment and economic issue concerning all working parents of all income levels. Either we take the action required to ensure the provision of a range of reliable child care services at an affordable price, or we risk losing many of the gains women have won and endangering the economic independence of families. We must rethink our attitudes towards child care and public involvement in supporting families if we

are to really address the problems facing working parents today."

Those brave words, those bold phrases almost lead one to believe that this province is doing something about the crisis in child care. In fact, nothing could be further from the truth. Very little is happening at the provincial level to address the abject failure of this government to bring the provision of child care into the 1980s. In fact, the activities of the standing committee on social development, which spent the month of September holding hearings on the Day Nurseries Act, took place on the initiative of the committee itself and not on that of the government.

I am not surprised, given the information that has been provided to us, that this government is apparently in no great hurry to see our recommendations, because if it is, no one is suggesting that we get on with the job. I am sure this minister, his colleague the Minister of Community and Social Services (Mr. Drea) and the cabinet as a whole know they will be more than slightly embarrassed when the report of the committee is finally made public. How could they fail to be?

Let me provide a few examples of why it is nothing short of scandalous that there are fewer than 90,000 formal licensed day care spaces.

According to information from the Ministry of Community and Social Services itself, the participation rate of women of child-bearing age in the work force grew from 49 per cent in 1971 to 72 per cent in 1981; today it is even higher. The number of sole-support mothers on family benefits rose by 72 per cent in the 11 years from 1973 to 1984. Finally, the recent Ministry of Agriculture and Food study on women in rural life provided the startling statistic that one out of every two women must work off the farm to support the family income.

Ontario is so far behind in providing quality, accessible, affordable child care that it is hard to know where to begin.

Hon. Miss Stephenson: So far behind whom?

Mr. Wrye: So far behind where it ought to be. Listen and I will give you a little lesson in where you are far behind.

In fact, the government is apparently so staggered by the problem that it is doing next to nothing to alleviate any part of this crisis in the delivery of decent child care, and I hope the Minister of Education (Miss Stephenson) will read the report of the standing committee when it comes out. I think she will be startled by it.

I could spend the next half-hour citing the litany of this government's failure to come to grips with the crisis in child care. It is this government, this comfortable 41-year-old Tory regime, that must accept the major part of the blame for this crisis. Ontario could have acted; Ontario could have led the way. That we have failed to do so is our failure, and no amount of finger-pointing in other directions is going to alleviate that fact.

11:30 a.m.

As I said, the failure of this government to provide adequate child care is so all-encompassing that it is hard to know where to start. As well—and I see one of my colleagues from committee present—I do not wish to anticipate unfairly the report of the standing committee, so I will not outline in detail some of the solutions that I know the committee is prepared to propose. Let me look at the range of issues and the range of matters the committee found to be of crisis proportions.

1. The number of overall spaces is totally inadequate for 1984.

2. The backup in waiting lists for subsidized spaces is long and in some communities so long as to destroy any initiative a family or sole-support parent might have for entering the work force.

3. There are huge gaps in the delivery of child care. In many parts of the province, urban areas as well, toddler and infant care spaces are virtually nonexistent.

4. The mix of child care spaces has totally failed to come to grips with the employment realities of 1984. In short, people no longer work from nine to five. They work all hours of the day and night. The need for extended hours in the provision of child care is desperate and urgent.

5. Rural child care provisions are a disgrace. Where child care spaces exist at all, they often exist miles and miles from the homes of women and families, necessitating long drives and, in the winter months, harrowing trips to and from the centre and to and from work. There has been little or no improvement in this area.

6. The encouragement of work place day care in appropriate settings has been minimal. Here at Queen's Park, in our own backyard, is proof of the government's failure to take advantage of providing work place day care where appropriate and thus freeing up hundreds of desperately needed spaces in the neighbourhoods of our cities for those people for whom work place child care would not be appropriate.

I have limited the list, but finally there are the child care workers. They are well-educated, committed, dedicated individuals who often work for near-poverty wages. How long must they continue to subsidize the system? How long can we expect them to continue a labour of love before this government and the federal government put systems in place to make child care affordable for its users without using the service providers as pawns in some drive towards affordability?

I could continue reciting in great detail the horror stories, particularly in the rural areas, which struck all of us. I am telling the Deputy Premier of a situation that has been neglected too long. I will leave some questions, reminding the minister of his words and not mine, "If we fail to act, we risk losing many of the gains women have won and endangering the economic independence of families." Our party finds such failure of leadership simply unacceptable.

In Ontario in 1983, there were almost two million women in the labour force. In fact, 43.1 per cent of all workers were women. Despite their large contribution to Ontario's economy, these women were not equal to their male counterparts. Women working full time earned, on average, only 63 per cent of what men earned working full time.

The average annual earnings of a woman working full time were \$14,700; for a man, about \$23,300. Only 23 per cent of the full-time working women earned more than \$15,000, but 58.7 per cent of the full-time working men earned more than this amount. The average income of a female-headed family was \$19,500. For a male-headed family it was \$36,000, which is almost double.

Better education and positions do not guarantee women will achieve economic equality with men. A report issued by Labour Canada in early October noted the average income of women with university degrees is one third less than that of male university graduates.

In traditional female occupations, women earn about one third less than men in similar jobs. For example, men in clerical work earn an average of \$7,000 a year more than women. In traditionally male jobs, women still earn significantly less than men. In 1981, female managers earned \$17,500, or 56 per cent of the \$31,100 male managers earned.

Quite obviously, women are being overtly discriminated against in Ontario's job market. They earn less than men, even when they work in male-dominated fields. They are less likely to

gain entrance into these fields, but there are no barriers to men entering traditionally female jobs and earning better salaries.

There are a number of areas where the government can act to improve the lot of women in Ontario. In some of them the government is acting, but it is not doing enough. Action is needed in the areas of equal pay for work of equal value—there is that word the minister found so difficult to say—affirmative action, education and skills retraining, part-time employment, pensions, and benefits such as maternity leave. I look forward to the days to come when we can deal with some of the other aspects of Bill 141, when we might make some improvements in those areas.

I have already read a litany of statistics to show how poorly women are doing economically in comparison to men. For a variety of reasons, a wage gap exists between the sexes. There are two programs to close this wage gap that can and should be implemented. This government is on record as saying it supports these in principle. They are equal pay for work of equal value and affirmative action. The government has not said it favours mandatory affirmative action.

Equal pay for work of equal value is a concept whose time has come—I have written "has come," but it arrived some time ago and the government is still trying to catch up. The women of Ontario are faced with the fact that no matter what job they get, they will earn roughly 37 per cent less than their male co-workers. Even promotions into managerial ranks in other male-dominated fields do not guarantee fair and equitable wages will be paid.

It was former Liberal MPP Margaret Campbell who first drew to the attention of the Legislature the concept of equal pay for work of equal value when in 1978 she introduced a private member's bill for the economic equality of women. A little over a year ago, members from all sides of the House stood in unanimous support for a resolution by my former colleague Sheila Copps that called for the principle of equal pay for work of equal value to be enshrined in the Employment Standards Act. Does the minister see what happened? Ms. Copps could not see any action on that issue here, so she went to Ottawa where action has been taken. We will see whether this government rolls that back too.

In 1982, Morley Gunderson prepared a report on equal pay for work of equal value for the Ministry of Labour. The Minister of Labour (Mr. Ramsay) is fond of quoting from the Gunderson report when he is arguing against implementing

equal value legislation; however, the report is not against equal value. It makes some positive statements on the use of equal value and some very negative statements on Ontario's present equal pay laws. Professor Gunderson found that a certain percentage of the present wage gap cannot and will not be eradicated by Ontario's present equal pay laws.

I quote from the 1982 Gunderson report: "Although a five to 10 per cent gap is not inconsequential, it does indicate the rather limited scope for equal pay for equal work legislation in closing the earnings gap because it is traditionally confined to comparisons within the same establishment and occupation. Also, the relatively small magnitude of wage discrimination highlights the larger relative importance of occupational segregation as a determinant of the overall earnings differential, which points to the large potential scope for fair employment legislation. It may also suggest a larger scope for affirmative action and equal pay for work of equal value legislation, since the former can reduce occupational segregation and the latter enables wage comparisons across more disparate occupational groups."

Professor Gunderson concluded that equal value legislation has a broader potential than conventional equal pay legislation, and it has many positive aspects. Again quoting from his report listing the values and benefits of equal value legislation:

"First, by broadening the scope of comparison across occupations it opens up the possibility of reducing the discrimination that results from occupational segregation, which was shown to be larger than the narrowly defined wage discrimination that is the purview of legislation on equal pay for equal work. Second, to the extent that it is accompanied by job evaluation techniques to assess equal value, it may reduce the gap indirectly, because the gap tends to be stronger in jobs with job evaluation schemes." He goes on to say:

"In that vein, legislating equal pay for work of equal value, like affirmative action and policies designed to improve the labour market options for females, can be regarded as additional policies in the 'arsenal of weapons,' along with more conventional policies like equal pay for equal work and equal employment opportunity legislation."

11:40 a.m.

On October 19 of this year Professor Gunderson released a new report on equal value legislation entitled *Costing Equal Value Legisla-*

tion in Ontario. By analysing awards given in Washington state, Quebec and the federal civil service as well as a variety of claims about just how many jobs are currently undervalued, he attempted to cost the full implementation of equal pay for work of equal value. His figures on the number of workers affected range from a low of 14,500, based on the same proportion of Ontario workers being affected as have been affected by the federal awards, to a high of just over one million, based on the same proportion of Ontario workers being affected as those affected in Washington state.

On the basis of those two sets of factors, Gunderson computed a series of total cost estimates ranging from a relatively low cost of \$15 million in the federal-Ontario comparison to a high of \$7.8 billion in the Ontario-Washington state comparison. My guess is that neither figure is correct and that some figure on the lower side of the average, once implemented, would probably be the correct figure over a period of time.

Hon. Mr. Welch: You still see the big gains to come from occupational desegregation.

Mr. Wrye: We will get to that next.

Of course, when faced with these high figures, the government and the press panicked and said that equal value was too expensive. Let us look at the matter objectively for a moment.

First we must consider the benefits that would come from equal value. Women workers are consumers and taxpayers. They not only take money from the economy in the form of wages, but they also put money back into it by buying and paying taxes. It seems to me that if we increase their wages, we also increase their spending power; and as they spend more, the economy improves. The logic is simple, perhaps overly simple, but it is also to a great extent accurate.

Second, let us look at where this money would come from. We live in a province that can afford to spend and appears to be committed to spending billions of dollars for a domed stadium that no one outside Metropolitan Toronto will ever use. We live in a province that can afford \$650 million for an oil company that is now worth 60 per cent of that value, if that. We live in a province that can spend almost \$1 billion on land banks, which have never been developed. We live in a province that can afford to spend, year in and year out, anywhere from \$50 million to \$70 million in self-congratulatory advertising. Very quickly—and one could use other examples—I have identified roughly \$2 billion, money that

could be used to stop discrimination against half our population and not just benefit a handful.

Since last October the Deputy Premier and the Minister of Labour have said on numerous occasions that the government still supports the principle of equal pay for work of equal value, and yet the ministers have always had an excuse for why it cannot be implemented. Last year it was that the economy was in poor shape and could not afford the cost; this year it is that the economy is recovering and cannot support the cost. Occasionally a government minister says the concept cannot be made workable in legislation, despite the fact that it is workable and very successful both at the federal level and in our sister province of Quebec.

I note that when the ministers speak so authoritatively on how unworkable equal value is, they never cite where they get their information. Perhaps the women's directorate or the Ontario Status of Women Council should take up Professor Gunderson's latest work and do a more detailed study aimed at implementing this matter on at least a pilot basis, if that is as bold as they wish to be, but moving us forward so we can get on with the job. Otherwise, it seems to me, we are looking at a government that is simply procrastinating.

We must then look at the real reasons for delay, because either you support a principle and act on it or you do not support it and therefore ignore it. You cannot be on both sides of the fence. The time has come for the Ontario government to decide on which side of the fence it is willing to fall on this issue. If the principle is unworkable, stand up and say so and let us get on with the job. We can fight in this arena and in others about whether or not the issue is unworkable.

The Ontario government must also stop sitting on the fence with regard to the issue of affirmative action. The Liberal caucus is on record as supporting a mandatory affirmative action program in the private sector for firms of more than 250 employees and in all public sector institutions with more than 100 employees. We have also proposed a measure of contract compliance.

The Ontario government talks a good line when it comes to affirmative action. The Deputy Premier and Minister responsible for Women's Issues has been at his eloquent best in his many speeches to many organizations on this matter. I should also give some credit to his seatmate, the Minister of Education. In April 1984, the Minister of Education told Ontario's first

government-teacher conference that she would get tough with school boards that did not promote women teachers.

The Toronto Sun reported in June that the Minister responsible for Women's Issues had said the province was considering requiring firms doing business with Queen's Park to have affirmative action programs. Just last month at the Canadian Club—and I am sure the minister can still almost quote the speech word for word—he said: "We will not hesitate to put our program into legislation and make it mandatory for every company to adopt, if organizations do not recognize the wisdom of developing their own strategy without willing assistance. We are not going to wait too much longer for you to see the light, as it were."

On the other hand, last May, the member for Brantford (Mr. Gillies), who is the parliamentary assistant to the Minister of Labour, told a seminar of the Ontario division of the Canadian Manufacturers' Association, "You will not see the Ontario government jumping in and precipitously mandating affirmative action."

I find it interesting that, when talking to the Legislature or to interest groups, the government is all for tough affirmative action, yet when facing the business community some members of the government turn timid and are extremely anxious to suggest, "No, we will not be having mandatory affirmative action anywhere in the near future." There is not much balance between what the minister said in October and what the parliamentary assistant said earlier in the spring.

The statistics the minister used in his remarks a week and a half ago—it seems so long since the minister's opening statement—point out quite clearly that the voluntary affirmative action program is not working and probably will never work. Of the 897 largest firms the Ontario government has targeted for voluntary programs since 1975, only 28 per cent have signed up. That is 258 out of 897. Breaking that number down, only 30 per cent of the private companies, 46 per cent of the school boards, 37 per cent of the municipalities and 44 per cent of the universities have programs. None of the 78 hospitals or 16 crown agencies the government has targeted has established an affirmative action program.

To switch the figure around, 639 of Ontario's largest firms, those with 500 employees or more, do not have affirmative action programs. The average number of new programs over the last four years has been 23 per year. I am trying to give the government the benefit of the doubt since it has been talking the game about really

believing in this for the last two or three years, certainly since I have been in this place. At that rate, it will take 28 years for the Ontario government to encourage all its targeted companies voluntarily to set up affirmative action programs. That is almost three more decades. To put it generously, that is not good enough.

11:50 a.m.

Obviously, the voluntary program is not working. The program cannot even get compliance from the public sector. Remember, no hospitals and no crown agencies have set up programs as yet. The record is dismal and it is time for the minister to see the light, admit the record is dismal and do something about this atrocious situation.

The government's own affirmative action program also needs some beef. As I mentioned earlier to the minister, I do not have the 1983-84 figures and I would appreciate it if I could get them. During this opening statement I will have to use 1982-83 figures and those will be the numbers I will be working from.

According to the 1982-83 women crown employees' report, 71 per cent of the women in Ontario's public service earned less than \$21,000 and 75 per cent of the men earned more than that figure. The occupations in which women are well represented are all in what we call traditionally female jobs, clerical work and the like. Even in nontraditional categories, such as professional and technical modules, women are well represented in the more female jobs: home economics, library work, nursing, occupational and physical therapy, speech pathology, social work and support.

The occupational groups in which women are underrepresented are still the traditional male sectors: agriculture, skilled trades, architecture, dentistry, economics and statistics, drafting, engineering and the list goes on. Even in some of the more neutral categories, such as education or psychology, women are underrepresented. Only 51 of Ontario's top government executives are women; that is, 8.2 per cent of the total number. Only two deputy ministers and three assistant deputy ministers are women.

There is room for improvement in the government affirmative action program. It ought to be obvious to all of us that we cannot expect the private sector to be wildly enthusiastic about affirmative action if we ourselves are not setting a good and consistent across-the-board example. The minister has said that before. It is certainly one area where we in this party are in total agreement with him.

The government must step up its own efforts to improve the position of the women it employs. We are the trend setters and the trend we are setting is not terribly optimistic, particularly in the senior areas. We are finding right here in Ontario and within the government, as we have noted in the private sector, that where women are making improvements they are still being stalled at a middle managerial place.

Along with equal pay legislation and affirmative action programs, the education of women must be improved to increase their employment opportunities. New technology, particularly microtechnology, is having and will continue to have a profound effect on the tertiary sector of our economy. Since over 80 per cent of all the women employed in Canada are employed in the tertiary sector, this means that microtechnology will have a profound effect on the jobs of women.

Heather Menzies studied the effects of microtechnology on employment and found that employment, particularly women's employment, will be decreased as a result of microelectronics. The jobs that are being created by the new technology are primarily held by men, as they are in the professional and technical fields. The jobs that are being made redundant are primarily clerical and hence are held by women. Some sources predict that clerical jobs in Canada could drop by one third in the next decade.

Not only are the jobs held by women disappearing because of microtechnology, but the new technologies are making it difficult for women to move up in the job market, or even find new employment after being replaced by a computer at their old jobs.

In one case study done by Ms. Menzies, out of 130 clerical workers who were displaced by new technology, only two were able to advance to the professional ranks. When she studied a major insurance company, she found that overall employment remained stable while the clerical ranks shrank by half. Yet only one of the displaced clerical workers was promoted into the professional ranks while the remaining 100 were transferred to fill clerical openings in other departments.

There is a very real fear that a skills gap will develop between the female information handlers and the male managers and professionals. This gap between those workers who can handle the new office equipment and those who cannot has the potential to create an entire class of unemployables from within today's clerical staff.

The solutions to the problems caused by microtechnology are fairly simple, but they must be pursued with real vigour. Women must be trained and retrained in nontraditional fields. They must learn to work with the new technologies that are being developed. In this regard, the Ontario government has taken the first steps and I congratulate the minister for that initiative. In fact, I congratulate both ministers.

Young girls are no longer encouraged to drop math and science in high school, and new teaching techniques are being developed to ensure that women leave the school system with a solid background in these subjects. As I am well aware, the Ontario government also sponsors a number of programs designed to retrain women to work in nontraditional fields.

The critical training programs in this regard are the training in business and industry programs. TIBI I provides general occupational skills training, TIBI II expands the skills development of advanced technology industries and occupations and averts layoffs through expanded retraining of employees whose skills have been made redundant by change or technology and TIBI III provides training in specific high-level computer skills.

Women's participation in the TIBI programs is not only low in general, but it decreases as the programs get more technical. In 1982-83 women made up 36 per cent of the trainees in TIBI I and they made up almost 40 per cent of the 1983-84 trainees. Women were almost 19 per cent of the 1982-83 TIBI II trainees, but the figure dropped to under 15 per cent in 1983-84. Women's participation in TIBI III was 28 per cent in both years.

Since women are the most affected by new technology, and therefore in need of the most retraining, these figures do not bode well. The government must increase its efforts to provide training in nontraditional occupations for women. The current program should be examined and re-examined on a periodic basis to ensure that no systemic discrimination is occurring. New programs, including specially designed counselling programs, should be developed. Above all, program assistance, such as day care and training allowances, should be increased to free up women to advance themselves.

Many elderly women spend their retirement years in poverty due to the fact that pensions for women, on the whole, are not equitable to pensions for men. Because women spend less time in the work force than men do, often dropping out to raise children, earn less money

on average and outlive men by some 10 to 15 years, the retirement income average is lower than that of men. The federal green paper on pensions entitled *Better Pensions for Canadians* said, and I quote:

"Many pension plans do not provide adequate survivor benefits and few married women benefit from the pension credits of their spouses upon marriage breakdown. As a cumulative result of such shortcomings, many women spend at least some of their retirement years with insufficient income."

Over the last five or six years, our leader urged this government to support the child-rearing dropout provisions in the Canada pension plan. Finally, about a year and a half ago, the government did so. I certainly want to congratulate the government on becoming the last holdout in this matter, and it was a step forward to pension reform, but there are many other steps which can and must be taken. I will be discussing one in dealing with the potential amendments to the Family Law Reform Act.

In discussing the whole matter of pension reform, I think it behooves us to look at those who are most desperately in need of it. It is a need in so many areas and for so many people all across the province and, indeed, all across the nation, but women, first of all, are feeling the effects of inadequate pensions in 1984. It is time to get on with that job.

Economic issues are not the only areas of primary concern to women. Many social issues affect the lives of women profoundly and need to be attended to by society and government alike. The rise in violent pornography has received a lot of attention over the last year or so. We had a debate on this the other night and we will have a vote on it shortly. I am not talking about erotic material showing sexual acts between two consenting adults. I am referring to material that combines sex with violence, that portrays women being raped and enjoying it, child molestation and beatings.

12 noon

Professor William Marshall of Queen's University has conducted many research projects on the effects of pornography on sex offenders and nonsex offenders. His research has shown that rapes and child molestations increased threefold to fourfold within two years of the availability of pornography in eight different countries. His findings suggest that men exposed to pornography become more aggressive towards women. He also discovered that normal males, such as college students, are remarkably sus-

ceptible to the influence of pornography. Thirty per cent of the men he studied said they would rape a woman if they could get away with it.

Dr. Ed Donnerstein of the University of Wisconsin found similar results in a study that tested the reaction of normal males, screened to weed out those with hostile or depressive tendencies, to violent pornography. The subjects were exposed to violent films and then asked how likely it would be that they would commit rape if they knew they could not get caught. Between 55 per cent and 60 per cent of the respondents said they would be willing to rape a woman in such circumstances.

After two weeks of viewing films depicting violence, explicit sex and sex with elements of violence the study participants were put in a mock trial in which they acted as jurors in a rape case. The case was real, with condensed evidence being presented by actors. The jurors who had viewed the films tended to be less sympathetic to the victim than the control group, which had not viewed the films. What is particularly frightening about the results of this study is the fact that all the films used in it are available commercially.

I welcome, and our party welcomes, the recent legislation introduced by the Minister of Consumer and Commercial Relations (Mr. Elgie). It is, in principle, a step in the right direction. But at this time I want to reiterate our party's position on pornography, which was proposed by our Women's Perspective Advisory Committee some time ago—some time before the introduction of this legislation and indeed before the government's more recent interest in the whole field—and approved by our caucus.

In brief, the committee proposed that the Criminal Code definition of "obscene" be amended to include graphically senseless, violent and degrading acts, even if no sexual element was present, and all materials depicting children who are or appear to be under the age of 18 in sexually explicit scenes. I know those kinds of amendments cannot be done in this place, and I hope the Attorney General (Mr. McMurtry) and the government as a whole are pressing the government of Canada to move as quickly as possible in this area, because this is over and above the Theatres Act or any action we take here. These are the most important areas in which we can move.

The possession or purchase of any obscene material would be an offence under the Criminal Code, as would be its rental or leasing. The community standards employed by the Ontario

Board of Censors would be set out in regulations to the Theatres Act. Municipalities would be required to introduce bylaws requiring that adult materials be displayed behind opaque barriers. This is an issue that a number of municipalities have moved on, and I do note that we appear to be having some problems with the courts in this regard.

The Ontario Police Commission should be given authority over Project P, the anti-pornography squad, which should be given increased funds to extend its services. As well, the tariff act should be amended to replace immoral or indecent as the basis on which to bar entrance of material into Canada with the Criminal Code definition of obscenity. I note with some interest that the Minister of National Revenue indicated in his statement in the House the other day his great concern over the entrance into this country of the most recent edition of Penthouse magazine, which has caused so much controversy, and that he is going to take some action in this area. That is welcome.

On May 16, my colleague the member for Perth (Mr. Edighoffer) introduced a resolution urging municipalities that had not done so to pass bylaws restricting the open display of materials by means of opaque barriers. The matter was supported unanimously by members of all parties in the Legislature, and I hope that over time, given the action of the courts more recently, we can deal with this matter and put something in place that the courts will find acceptable, because I think it is very necessary, particularly with respect to young children.

A woman is sexually assaulted every half hour somewhere in Canada, and one out of every 17 Canadian women will be sexually assaulted at some point in her life. More than 50 per cent of all rapes are committed by someone the victim knows, and it is estimated that nine out of every 10 rapes go unreported, mainly because of fear.

In July 1983, the Task Force on Public Violence Against Women and Children recommended that five clinics be established in Metro Toronto to deal with victims of sexual assault. The task force also recommended that there be more female police, that police officers wear name tags and that police be trained to be more sensitive to the needs of women and children who are victims of violence.

In April 1984, Metro Toronto's first regional sexual assault treatment centre opened at Women's College Hospital, near Queen's Park, to provide 24-hour-a-day, seven-day-a-week care for men and women who have been sexually

assaulted. The centre is most certainly a step in the right direction, but it is only one for an entire city. We strongly urge the minister to investigate the possibility of extending more funding to hospitals in Metro, and indeed around the province, to establish more of these centres.

It has been more than a year since the government responded to the standing committee on social development's report on family violence which dealt with wife battering. In the intervening time, the government has made some positive moves in dealing with the subject, and I congratulate the government and this minister, who I know cares deeply about this issue, for those positive moves.

Last June, the Minister of Community and Social Services announced new initiatives to provide funding for new shelters and safe homes for victims of family violence and their children. The Deputy Premier's own ministry has taken steps to inform the public about the problems of wife beating with advertising campaigns, which are very extensive, and it is advertising of the best kind. But there is still more to be done, much more.

Transition homes are in the same position they were in a year ago. Funds are tight because of the per diem system. There are no standards. There are few government-funded support systems for women after they leave their husbands.

I want to suggest to the minister again today, as I urged him last year, to look seriously at introducing a bill devoted exclusively to services for battered women. Such a bill could cover standards for transition homes and implement block funding to ensure the coverage of capital and operating costs. It is long overdue, and it is time the matter was proceeded with. The issue is with us to stay, unfortunately, for some time. It seems to me we should put an end to the ad hoc recognition of funding problems in particular and get on with putting something in place that is a lot more formal.

In 1974, the Ontario Law Reform Commission report on family property law recommended that all assets accumulated during a marriage be included in family assets for the purpose of the division of family assets upon marriage breakdown. As we know, business assets, including pensions, currently are not included in the law.

The Ontario Liberal Women's Perspective Advisory Committee has recommended that Ontario adopt a community of acquest regime. Under the community of acquest, all assets acquired since marriage, including pensions, stocks, bonds and business and professional

assets, would be considered a part of family assets. Last March I introduced a private members' bill which spoke in some detail to this issue.

The Attorney General has announced over and over again that he intends to draft legislation dealing with the definition of family assets. I would hope the Minister responsible for Women's Issues would realize the time has come for the Attorney General to get on with his promise, which has been delayed for so long. The last word I heard from this government was that we would probably see the legislation, I assume for first reading, shortly before we adjourn for Christmas, shortly before the end of this session of the Legislature.

I believe the timely introduction of this legislation, and certainly timely introduction came some time ago, should be a prime concern of this government, and indeed many women in this province would find that it would be perhaps the most important piece of legislation we have introduced all fall.

Related to the reform of family assets is the topic of maintenance payments. There are 40,000 women and children in Ontario who are affected by defaults of maintenance payments. In 1979-80, the money owing on current provincial court accounts totalled \$37 million. In 1982-83, this amount has risen to \$45 million.

As individual MPPs trying to deal with women in our constituencies, we all know that a woman in Ontario currently must file an action for nonsupport against a man in family court before she can receive welfare payments. The provincial government has failed to change this system so that the defaulting husband is sued by the government for payment rather than forcing the wife to take action against him.

Manitoba instituted a family enforcement program in the late 1970s which has more than doubled payments as a result of a computerized monitoring system. The government of Ontario continues to resist adopting a computerized system, despite its proven effectiveness and the fact that default in maintenance payments translates directly into higher welfare costs.

12:10 p.m.

On April 12, 1984, the Attorney General acknowledged the "significant problem" of unpaid maintenance orders in Ontario. He stated, "We believe the government can play an increasing role in assisting individuals to enforce their individual orders, although it is not primarily the government's responsibility."

He further stated this government's support of a national registry to help in locating defaulting spouses. He promised significant initiatives would be announced before the end of the spring session. No initiatives concerning maintenance payments have been announced thus far by the government.

My party is concerned about the unnecessary cost that defaulted maintenance payments place on the welfare system and thus on all taxpayers of the province; more important, we are concerned about the plight of the women who are left without the financial ability to support themselves and their children.

The government must immediately implement a computerized program to enforce maintenance payments. Family court judges should be encouraged to use the powers of enforcement provided for by law, such as probation and attachment of wages to enforce maintenance orders.

The matter has been before us long enough. It needs urgent action, particularly for those who are victims of our inaction in a very real sense.

My colleague Don Boudria, the former member for Prescott-Russell, introduced and reintroduced a number of amendments to the Vital Statistics Act and the Change of Name Act. These amendments were designed to remove the requirements that children born to married women be given the surname of their mother's husband, and to make it easier for people to change their names.

In April 1984, the Minister of Consumer and Commercial Relations announced that a policy paper proposing those same changes was being presented to cabinet. To date, we have heard nothing on the status of the ministry's proposals.

I would like to know, and I would hope the government is planning to move in this area. I hope the minister will agree with me, as apparently his colleague does, that we have waited too long for reform in Ontario's names legislation to reflect the rights of women to their own names and to name their children.

I want to conclude my remarks by mentioning an initiative taken recently by my party, of which I am quite proud. I am very proud that the Ontario Liberals have taken the steps we have with the formation of the Women's Perspective Advisory Committee and other initiatives.

I am very pleased with the creation of the Margaret Campbell fund, which was recently announced by our leader. That fund will provide grants to nominated Liberal women candidates to assist them in their campaigns for election to the Ontario Legislature.

As the members know, Margaret Campbell was the first Liberal women elected to Queen's Park. She was one of only eight women to graduate from Osgoode Hall in 1937 and received her QC in 1960. She defeated the present Attorney General in the March 1973 St. George by-election and sat in the Legislature until her retirement in 1981.

Margaret Campbell was a trend-setter. She pioneered interest in domestic violence long before it became fashionable to talk about such topics. As a result of her efforts, changes were made in the Ontario Police College curriculum to provide training in family violence for police officers. The Attorney General has acknowledged that Mrs. Campbell singlehandedly forced the establishment of the liaison committee on family violence.

She was the first member of the Legislature to table a bill on equal pay for work of equal value, as well as the first to table a bill on rent review. She has always led the fight to remove the inequalities faced by women in the public and private sectors alike. In many ways, Margaret Campbell was ahead of her time. Fortunately, the world is now starting to catch up.

On that note, I want to conclude my remarks with a comment she made on the role of women in politics, and a very important role it is. She said, "Women can become a force to be reckoned with, can establish their identity without question, can make statements which will truly have impact, can accomplish things in their own right, symbolizing the new lifestyle and the new philosophy."

It is my view and my party's view that such a role is long overdue.

Ms. Bryden: Mr. Chairman, I welcome the opportunity to have a review of the work of the women's issues program and the directorate for a full year. Last year it was part of the estimates of the Ministry of Labour because the programs had not all got under way.

However, there appears to be a good deal of information lacking. I hope we will obtain that information before these estimates are concluded. In fact, I hope we will obtain a good deal of this information next week so we can have it for the further sittings of this committee on these estimates.

My friend from the Liberal Party mentioned that the 1983-84 annual report of the women crown employees office is not out yet but appeared to have been used by the minister in his opening remarks. I certainly echo the honourable member's request that the report be made

available to us as soon as possible. I also notice the annual report for 1983-84 of the Ontario Status of Women Council is not yet out. Again it seems to me it should be, since the fiscal year ended on March 31.

It is not just the reports that are missing. The actual estimates in the estimates book are lacking almost any real breakdown of the programs the directorate is undertaking. The briefing book does not contain a staff complement; it does not contain a description of each program and the staff allocated to it. It does not contain a breakdown of grants; there is simply \$500,000 for grants, without any breakdown.

There is an organizational chart for the directorate in the briefing book. It does not even mention the women's bureau, which has been in existence for 20 years; it had a 20-year anniversary party. It seems to me it has disappeared without a ripple as a women's bureau under the umbrella of the directorate. It does not mention the women crown employees office, which appears to have suffered the same fate. It is not shown in the organizational chart, nor do we have any idea how many people are allocated to these two offices, if they still exist, or what their program assignments are.

We are being asked to vote a \$5-million budget for the women's programs. This is up by 230 per cent from the previous year's estimates of \$1.5 million. I recognize that the directorate only started in mid-1983 and that we are now having a 12-month allocation for its work rather than a partial allocation, but when we are being asked to vote \$5 million, I think we are entitled to a great deal more information on how that \$5 million is to be broken down.

We are entitled to program descriptions for each of the many programs the minister has announced, mainly it would appear in the interests of public relations, without telling us how expensive they are.

For example, the open doors program to get people to go into schools to speak to the students of grades 7 and 8 about their nontraditional jobs appears to be in only six municipalities or cities. I understand there are practically no funds allocated to that, because the people who are invited to go in to speak are not paid or even provided with out-of-pocket expenses if they happen to be people who have to take time off their jobs. If they are self-employed, it may be a different situation, although they might also lose money.

12:20 p.m.

It also makes one wonder what kinds of role models will be able to participate in that program

if there is no compensation for them for participating and bringing their skills and knowledge to grades 7 and 8. When are grades 7 and 8 in other cities, towns and centres of Ontario going to get the same sort of service?

It seems to be one of the many programs we hear about that have little financial or personnel backing from the directorate. Until we get that breakdown of the personnel and the programs, as to both monetary and staff allocations, we do not know. That is my first point. I hope we will get a further breakdown of those programs and grants before the end of next week.

On the grant question, in August the minister announced to the Association of Municipalities of Ontario that \$260,000 would be available for affirmative action incentive grants to municipalities. He did not specify whether that was for municipalities only—although I think that was the impression the people at AMO got—or whether it was to cover all public sector initiatives and incentives to institute affirmative action programs.

When it appeared the wording in his speech could be interpreted both ways, people were left wondering whether the municipalities were getting an average of \$207 each, if it went to all the public sector agencies, or \$310 per municipality if it went to the municipalities. Both amounts are peanuts when one thinks that for a city such as Scarborough to start an equal opportunity program, as it has just done, and hire a co-ordinator, it is going to cost at least \$75,000.

Even if not all the municipalities take up the grants, the amount is not going to make any difference in the number of public sector bodies that will be instituting affirmative action programs. If that is the way the grants are being allocated, it is not going to have a very great effect.

The \$260,000 would use up about half the \$500,000 grants that are in the budget, but in the minister's remarks last Monday he had the balance of \$240,000 allocated to grants for projects in the six areas he mentioned that he considers the key women's issues. Those areas include affirmative action, employment support, income support, child care, family law reform and other items of that nature. If each of those areas were to get a share of the \$240,000, there would be only \$40,000 each for the six areas. It does not seem to me that will do much as incentive grants for projects in those areas.

Then the minister went on to invite applications for the \$240,000, or part of it, from those serving immigrant, elderly and rural women,

women in the north, and also from those interested in developing programs for adjusting to the high-technology revolution. Again, it stretches credibility as to whether those grants are simply held out as bait to indicate that something is available for work in those multitudes of fields, whether the whole amount will even be taken up since it is so vague, and whether there will be sufficient money for any one project to get going, or any more than one or two.

It seems to me that the budget should concentrate more on some well-defined initiatives that will actually help to increase the equality of women and that all these scattered programs offering small incentive grants will simply look good on paper but not produce any real action. The question we have to examine in looking at the women's directorate is whether it is actually meeting women's real needs. It will be judged on the basis of what action happens in the following main fields.

First of all, how much will the wage gap be closed in the coming fiscal year? The Ontario public service still has a wage gap of 23 points when one looks at the average wages of men and women. It has shrunk, according to the minister's own statement, by only five points in the past decade. It will take about 50 years to close the wage gap in the public service at that rate of 0.5 per year. The general wage gap is still 37 points and at that rate it will take until the year 2060 for us to get that closed.

The minister does state that the number of women in higher-paying jobs in the public service is up from five per cent to 16 per cent in the decade, but that is still away below women's representation in the Ontario public service, which is 42 per cent. Progress is so slow in all these areas that the justification for having the women's directorate will not appear unless we can see more action in those fields.

When the women's directorate was announced in May 1983, we were not, by a long shot, the first province to have a women's directorate. The New Democratic Party had had a member of the caucus assigned to women's issues full-time for a year and a half before the government moved in this direction.

Mr. Grande: We obviously provided the leadership.

Ms. Bryden: My colleague says we provided the leadership, which is true. The federal government had a person responsible for women's issues for a considerable time as well, but I think we were the only party that had a full-time critic in this field.

We still have not really seen a great deal of progress from the directorate and the government should not consider the appointment of a full-time spokesman as the answer to achieving equality unless there is genuine progress in each of the fields.

12:30 p.m.

Let me go on to the second field, the area of affirmative action. How many new affirmative action programs are in effect now, eight years after the program was started? The minister says it is his flagship program, but the figures remain buried in obscurity. What we want is a complete statement by the end of next week on how many affirmative action programs there are in effect in the various sectors.

In the public sector we want a breakdown showing the number in the school boards, the municipalities, the hospitals and the crown corporations, as well as a statement on the program in the Ontario public service about how many affirmative action co-ordinators there are, full-time and part-time. We need this to clarify all the misleading figures that have come out concerning how many programs are in effect.

We also need a list of the number of affirmative action programs in the private sector and of the companies involved. It seems to me that if a company is willing to have an affirmative action program, it should be proud to make that fact public.

Recently I visited one private firm, Warner-Lambert, which has had a very effective affirmative action program since 1975. It has published reports on how the program is working and has shown considerable progress in bringing the percentage of women in each of the different categories of employment closer to that of men. It has also shown very significant progress in closing the wage gap in those categories, which shows that when you open up all the categories to women, they move into some of the better-paying jobs and, as a result, the wage gap in the whole firm closes.

I cannot understand the minister's feeling that he has to keep secret which firms have affirmative action programs. Apparently he is going to give an award to the firm that has the best equal opportunity program, but surely those applying for the awards will have to submit applications, and I think the public would like to know who applied and who won.

I hope that in his award he will not follow the example of the Ministry of Industry and Trade. A year ago this ministry gave a group of awards to the five firms that had shown the greatest

development in the economic field, but only one of those five firms had anything that appeared to approach an affirmative action program. It was not one of the ministry's criteria. I think if the minister is going to give out his own awards, he should also talk to the Minister of Industry and Trade (Mr. F. S. Miller) about whether affirmative action should be part of his award program and one of the tests his ministry applies.

One of the five companies that was singled out for the prize from the Ministry of Industry and Trade said when interviewed that its affirmative action program had no targets, no timetables, no labour-management committee and no specific objectives; just "agreement" with the ministry's guidelines. That is why we want the list: so we can find out what kind of affirmative action programs the minister is putting into his totals of affirmative action programs that appear to be in place.

The firm that had the affirmative action program among the award winners was Wafer-board Corp. of Timmins. It employs 16 women out of 665 workers in total, so it would appear there is considerable room for women to move into some of the jobs there.

That is the second test of whether the directorate is working: how quickly the voluntary program is bringing us towards affirmative action programs for all of the 53,000 firms that have 20 employees or more, which is at least a reasonable figure to work on. But without mandatory affirmative action, it would appear we are not going to reach anything that will indicate that the voluntary approach will serve us.

In regard to the wage gap picture, I forgot to ask, but we should have statistics from the ministry on the number of complaints under the present equal pay law and the number of awards and amounts for the last two fiscal years to indicate how many people the present equal pay law is serving and whether it is doing anything significant to contribute to closing the wage gap. These statistics have not been published on a regular basis, but I think they should be made available to the committee by the end of next week.

The third test of the effectiveness of the directorate is how we are meeting the needs of battered women, how many new interval houses have been funded, and whether the initiatives in the north are really an answer or whether they are simply family crisis centres that look after a variety of the problems of battered women and children and people in distress.

It appears that most of them will not have the kind of professional staff an interval house needs to counsel women, and to help them with advocacy in the courts and to relocate in the community if they have to leave home permanently. They need far more than just a safe home, which the Ministry of Community and Social Services seems to be working on right now, particularly in the north.

They need professional assistance and the kind of services that even the most well-meaning police officer cannot give to help battered women. That is the third test of how far we are meeting the needs of battered women, who are estimated as one in 10 in the population.

The fourth is how much family law reform we are getting. The minister speaks of high hopes about getting family law reform. As we know and as my leader pointed out last week, there has been nothing but promises, promises, for the past two years. The Family Law Reform Act had its fifth anniversary in March 1983 and we know it is still full of loopholes. A great many women are not receiving their fair share of property that was acquired during the marriage or that came into the marriage. The minister's effectiveness will be measured by whether he can persuade the Attorney General and the cabinet to move faster in this very crucial area.

The fifth area is the question of sex stereotyping. It is partly the responsibility of the Ministry of Education to see that textbooks are changed; of the Attorney General to see that the media do not exploit and degrade women; of the Ministry of Labour to see that jobs and training are developed on a nonsexist basis and made available; and, of course, of the Ministry of Education to see that in the school curricula women are given opportunities to acquire more math, science and the sort of skills they will need. That is another area the minister may say is not specifically his responsibility, but surely part of his job is to co-ordinate the ministries involved in that field.

12:40 p.m.

I realize the budgets for these kinds of programs will come out of the other ministries, but I think the minister should be reporting to us about what they are putting into their budgets for this kind of elimination of sex stereotyping.

The sixth area is the question of how much the shocking gap in child care in this province has closed. To say the ministry is providing for 1.5 million additional child care spaces does not answer the question of how much the gap has closed. According to the Social Planning Council

of Metropolitan Toronto, we are 84,000 spaces short for full-time licensed day care. There are 210,000 women with preschool children who work, and those 210,000 are served by 51,000 licensed spaces in Ontario. Certainly not more than one quarter are getting any kind of care except what they can get from relatives and neighbours and that is not supervised care.

The directorate provided the legislative library research branch with some information on the state of child care last March when the research branch was preparing a background paper on child care services in Ontario. The directorate was well aware of the figures on the great shortage of child care in Ontario and put these into its memo, which is now a public document since it was sent to the legislative library research branch.

It was prepared by one of the senior policy advisers in the directorate and says, "It is estimated that only 15 to 25 per cent of children receiving nonparental care are in licensed child care services." It goes on to say, "Licensed infant care is difficult to obtain in many communities and there are not a large number of school-age programs across the province." It mentions particularly that, "Formal child care services...are in short supply in urban areas, as evidenced by waiting lists of up to two years."

In Metro Toronto right now, I believe there are 1,000 children on the waiting list for day care. That is another area in which the directorate will have failed in its mandate unless it can deliver much more action.

The seventh area is an area that has suddenly been highlighted by the decision in the Morgentaler case, and that is the area of providing Ontario women with access to legal abortions. The trial brought out very clearly that there is not equal access throughout Ontario, that half the hospitals in Ontario do not have therapeutic abortion committees, and that the delays in the areas where there are such committees are so extreme that they could even be considered life-threatening, in that people have to wait too long to get approval for an abortion when they have decided they want a legal abortion.

It seems to me the province has the obligation to see there is equal access to a legal service for those who choose to have that service. I am not advocating that everybody should have an abortion; I am simply saying that since the law is there, those who choose to have one should have the opportunity to have it in a safe way and have it covered by the Ontario health insurance plan, as other legal health services are.

We may have to look at the Quebec model in this area, where the government does operate a number of women's clinics which do far more in giving information on family planning and women's health generally than they do on abortion, but abortion is there as a last resort for those for whom family planning does not work.

If we went along the road of providing much more family planning information and much more information to teenagers on responsible sexuality, the demand for abortion would drop drastically and it would not become a method of birth control, as it appears to be in some areas. It is the way to meet this very difficult question of whether people should have a choice in whether they wish to carry a child to full term.

Basically, the clinics work on the first trimester only and that is the area where there should be no problem; but if there is no access, or inadequate access, women who choose abortion are at a great disadvantage and the law is not equal for them. As long as it is legal, we should not be telling women how they should make the decision; we should be saying the facilities are there but advising them also to seek family planning and birth control information to see if we cannot solve the problem in that way.

The eighth area where there is a test for the minister is the question of the rights of part-time workers. We do need a charter of rights for part-time workers, especially in this technological revolution where a great many more jobs are being broken down into part-time jobs. The Employment Standards Act should be extended to part-time workers and they should receive benefits in proportion to their work.

I noticed in the throne speech the government made a lot of noise about extending some benefit coverage to its own part-time workers in the public service, but when the figures came out as to how many would actually be covered, it appeared that only about one quarter of the 12,000 part-time workers in the Ontario public service would be covered by this extension. It is still not clear whether they are getting all the benefits pro rata or just certain additional ones. The government has to show a better example by bringing all of its part-time workers under prorated benefits, but it also has to look at amending the Employment Standards Act.

Recently Simpsons laid off a great number of its employees and then offered them part-time jobs. This indicates the great need for this kind of legislation. We have not really had anything but pious comments by the minister on this throne speech initiative.

The ninth area is the area of domestic workers. This province should be ashamed of its treatment of domestic workers, a grossly exploited group. They are paid below the standard minimum wage for other workers and have no limit on their weekly hours. They are simply given two days off, but for the rest of the time they can be on call and are expected to be available. They also do not have coverage for overtime, they do not have limits on their hours of work and they do not have other benefits of the Employment Standards Act. The minister cannot consider himself a spokesperson for women's equality as long as he ignores domestic workers.

12:50 p.m.

The 10th area is the response to high tech. The minister makes passing remarks about being interested in this field. He is even going to allow people who have programs for adjustment to high technology to apply to his \$240,000 grant fund. But really we need far more done in this field.

The minister is holding consultations across the province about how we can meet the high-tech revolution. Just today I received an invitation from him to a conference he is having at the end of this month in Toronto called Jobs for the Future: Women, Training and Technology. Apparently he does not consider that the opposition critics really have anything to contribute to such conferences because I am simply invited to go to the dinner and hear the minister speak about what he is doing in the high-tech field.

With due respect for the intent of the invitation, I think it is completely unsatisfactory to expect opposition critics to go to a dinner and not be invited to the rest of the conference to participate.

I do not know whether the minister is aware that the New Democratic Party had a task force on adjustment to high tech and its effect on the future of work, which spent all of last winter travelling around to various communities and heard from a lot of people, including trade unions, management, teachers, clergymen and academics. We invited a cross-section of people to seminars to discuss the future of work and the changes that have to be made, so that the technological revolution benefits everybody and so the people who are displaced by it are not just left as victims but are involved in planning for retraining and change in the work place.

From that task force my three colleagues and I have produced a report that came out last March on the future of work with about 40 recommendations for adjustment to technological change. It seems to me that some of those might have been

of interest to the minister in his consultations, but his consultations are strictly by invitation so that other women who may be interested or who may even be gravely affected by high-tech changes do not have an opportunity to come and tell him what it is like.

A couple of weeks ago I attended a conference on controlling technological change that was put on jointly by the Humber College Centre for Labour Studies and the Labour Council of Metropolitan Toronto. The stories we heard from the approximately 200 people in attendance really opened our eyes to the effect of high tech in the work place and to how it was affecting everyone, from librarians to people on the assembly line, to office workers, to technologists as well as to government employees. So this is a big area, which the directorate is not really addressing in any depth.

The Metro library workers are still on strike over the question of joint worker-management planning for adjustment to high tech. Of course, before you can get joint worker-management planning you have to have an early warning system about high-tech changes.

That was the subject of a bill introduced in 1983 by Michael Cassidy of the NDP, but such a bill has not been adopted. It was a private members' bill that was not supported by the government. That bill also called for joint worker-management committees to plan high-tech changes, and it went even further in suggesting that shorter hours could be considered as part of the work adjustments that would be worked out.

This government has not yet indicated it is prepared to look at that kind of solution, or at early retirement or at any kind of joint planning for technological change. If shorter hours are brought in, they could be brought in without any reduction in take-home pay because the estimates are that technological change will produce an increase in productivity of at least three per cent. That should be shared by the workers as well as by management.

If the government is going to control tech change, it is going to need greater democracy in the work place, so both workers and management can work together to see that the firms remain viable and that they all share in the benefits of the change.

Those are 10 areas that I think are a test of whether the directorate is fulfilling its mandate. I have not dealt with all of the questions I want to deal with over the next hours of this committee. I want to spend more time on the Ontario Status of

Women Council and on some other questions such as day care needs and pensions, about which the minister in his statement simply says, "Change and reform is on the way."

It has been on the way for 10 years. We have had white papers and green papers on pension reform. We have had statements from governments of all kinds. We have had the statement of the Treasurer that he is bringing in changes. However, all we have is a small increase in the guaranteed annual income system and most of that is passed-through federal increases in the guaranteed income supplement. Even with that small increase, pensioners are having to wait until December for the second bite of it.

None of the pension recommendations for reducing vesting to two years or for other changes in private pension plans has seen the light of day as legislation. That is an area where I would like to go into greater detail.

I would also like to talk about women and sports, and whether they have equal opportunity to develop their talents for becoming Olympic

stars and for participating in team games. That is an area we should discuss.

The question of health services for women has hardly been mentioned by the minister, but I have heard that the amount of help for women drug and alcohol addicts is much less than for men. I think there is only one detoxification centre that is for women only, and as to the rehabilitation of alcoholics in Ontario, the rehabilitation centre operated by former alcoholics in Toronto is about to run out of money. Those are areas I think the minister should be concerned about and I hope to deal with them as the estimates go on.

Mr. Chairman, it being almost one o'clock, I will wind up at this point. I hope that before next Friday the minister will provide us with some of the statistics, breakdowns and reports I asked for at the beginning.

On motion by Hon. Mr. Wells, the committee of the whole House reported progress.

The House adjourned at 1 p.m.

APPENDIX

ANSWERS TO QUESTIONS IN ORDERS AND NOTICES

EDUCATION STATISTICS

509. Mr. Bradley: Will the Minister of Education table for each school board in Ontario for 1975: (1) the average daily enrolment; (2) per pupil grant ceiling; (3) per pupil expenditures; (4) total expenditure; (5) total local taxation; (6) total provincial assistance; (7) rate of grant on recognized ordinary expenditures; (8) provincial contribution as a percentage of the total local school board expenditures; (9) rate of grant for French-language instruction; (10) decline or increase in number of full-time equivalent teachers from previous year; (12) number of self-contained special education classes; (13) number of full-time equivalent teachers of special education classes; (14) number of heritage language classes; (15) number of students studying heritage languages; (16) number of pupils whose first language is neither English nor French; (17) number of self-contained classes for pupils whose first language is neither English nor French; and (18) number of full-time equivalent teachers of classes for pupils whose first language is neither English nor French?

Will the minister also provide details for each of the above 18 points on a province-wide basis? [Tabled August 29, 1984]

See sessional paper 256.

LAKE SIMCOE WATER QUALITY

512. Mr. Elston: Would the Minister of the Environment provide its report, or reports, on the water quality of Lake Simcoe, including the following information: names of the sources of contaminants entering the lake, including types and amounts of contaminants for each source; detailed description of the effluent from sewers entering Lake Simcoe, including types of contaminants and amounts (on an annual basis); a list

of major industries connected to sewers entering the lake, including types and amounts of contaminants (on an annual basis)? [Tabled August 29, 1984]

See sessional paper 257.

NIAGARA RIVER WATER QUALITY

516. Mr. Elston: What did it cost the Ministry of the Environment to intervene in the S area landfill hearings in the US District Court in Buffalo, New York? Specifically, how much did the ministry pay the US law firm and Mr. Philip Sunderland to represent the ministry in the US regarding the S area negotiations and court hearing; and how much did the ministry pay each one of its expert witnesses, Dr. Martin and Mr. MacKay? [Tabled October 9, 1984]

Hon. Mr. Brandt: The cost to the Ministry of the Environment with respect to the intervention in the S area landfill hearings to the end of June 1984 is as follows: Terris and Sunderland law firm, US\$118,091.63; Dr. Edward J. Martin, US\$8,871; Dr. Donald MacKay, C\$3,994; Geologic Testing Consultants Ltd. (Dr. Gerald Grisak), C\$41,501.44; Hellings, Morey, Kresse, Rickers and Whissell law firm, US\$3,127.

PUBLICATION COSTS

525. Mr. Elston: Would the Minister of the Environment provide a breakdown of the costs for writing and publishing its Legacy magazine for each of the last three years, including the cost of distribution and mailing? Could he also give the number of copies printed each issue and give a general breakdown of where the magazine is circulated? [Tabled October 9, 1984]

Hon. Mr. Brandt: Costs of printing, mailing and editorial materials follow:

	Fiscal Year		
	1981-82	1982-83	1983-84
Freelance writers	nil	\$ 2,150	\$ 700
Printing and production	3,480	19,747*	15,637
Mailing	3,640**	2,221	1,663***

*Includes cost of 10th anniversary issue printed on high-grade stock with illustrations in four colours.

**Four issues.

***Two issues only.

	Distribution
Average print run	22,000
Schools, high schools	3,500
Colleges, universities	3,000
Libraries—public, private	2,600
Municipalities, sewage and water treatment plants	1,000
Environmental, naturalist, cottager, anglers and hunters and similar organizations	2,000
Commercial companies, construction and engineering consultants	400
Waste management companies, operators, haulers and manufacturers	500
Agricultural and commercial operations	1,000
Media	1,000
Private citizens	1,100
Outside of Ontario government, media, agencies, private sector, schools, etc.	500
Total	16,600
To MOE employees, branches, district and regional offices and other recipients within the Ontario civil service	3,000

The balance of 3,000 copies is distributed at various displays and events as part of ministry communications activities.

ENVIRONMENTAL ASSESSMENT

527. Mr. Reed: Would the Minister of the Environment table the May 18 comments of the environmental assessment branch to the Ministry of Natural Resources concerning the draft class

environmental assessment for forest management on crown lands in Ontario? [Tabled August 29, 1984]

Hon. Mr. Brandt: The May 18 environmental assessment branch comments on the draft class environmental assessment prepared by the Ministry of Natural Resources are in draft form. They are currently under review, and staff meetings are being held with the Ministry of Natural Resources. When the branch comments are finalized, they will be made available to the public and the honourable member.

CONSTITUENCY COSTS

535. Mr. Elston: Would the Minister of the Environment provide the costs he incurred in the course of conducting his own constituency business and legislative duties not associated with ministerial duties, costs including travel, phone, staff, postage, office supplies, photocopy, meetings and receptions for 1983-84, indicating which funds cover the costs? [Tabled October 9, 1984]

Hon. Mr. Brandt: The constituency costs information may be obtained from the office of the director of administration in the Legislative Building at Queen's Park, telephone 965-9494.

ENVIRONMENTAL FUNDING

536. Mr. Elston: Would the Minister of the Environment provide a list of the citizen and community groups, such as Pollution Probe and the Tiny Ratepayers Against Pollution (TRAP), to which the ministry has given funds in each of the last four years, listing the group, the amount and the date given? [Tabled October 9, 1984]

Hon. Mr. Brandt: The following grants were made to citizen and community groups:

Fiscal Year	Name	Amount	Date of Payment
1983-84	Canadian Coalition on Acid Rain	\$50,000	August 1983
	Canadian Environmental Law Research Foundation	3,500	October 1983
	Ecology Centre Associates, c/o Pollution Probe Ottawa-Carleton	1,000	December 1983
	Ontario Federation of Anglers and Hunters	75,000	February 1984
	Pollution Control Association of Ontario	2,500	February 1984
	Recycling Congress of Ontario	19,500	October 1983
	Canadian Coalition on Acid Rain	\$50,000	October 1982
1982-83	Conservation Council of Ontario	13,750	January 1983
	Ontario Federation of Anglers and Hunters	47,530	January and February 1983
	Pollution Probe Ottawa-Carleton	4,000	October 1982

Fiscal Year	Name	Amount	Date of Payment
1981-82	Canadian Coalition on Acid Rain	\$48,952	March 1982
	Canadian Environmental Law Research Foundation	2,000	May 1981
	Conservation Council of Ontario	30,000	November 1981
	Ontario Federation of Anglers and Hunters	45,000	January 1982
	Pollution Control Association of Ontario	2,500	October 1981
	Pollution Probe Ottawa-Carleton	31,000	June 1981 and February 1982
	Recycling Congress of Ontario	7,000	March 1982
1980-81	Algonquin Wildlands League	40,000	February 1981
	Canadian Environmental Law Research Foundation	750	March 1981
	Pollution Control Association of Ontario	2,500	June 1980

OXFORD REGIONAL CENTRE

542. Mr. McClellan: Will the Minister of Community and Social Services table a copy of the recent ministry investigation into problems at the Oxford Regional Centre? [Tabled October 24, 1984]

Hon. Mr. Drea: The investigation into activities at the Oxford Regional Centre has resulted in criminal charges. The ministry is unable to provide any further information as the matter is now before the courts.

REPORT ON HOMES FOR SPECIAL CARE

543. Mr. McClellan: Will the Minister of Community and Social Services table a copy of the Touche Ross report on homes for special care? [Tabled October 24, 1984]

Hon. Mr. Drea: The Touche Ross review of the homes for special care program was initiated by the Ministry of Health. The Touche Ross report is currently being reviewed internally by the Ministry of Health.

HEALTH FUNDING

545. Mr. Cooke: Will the ministry give the following details of each grant approved in this fiscal year to fund new programs to meet the mental health needs of the aged: (1) name and address of recipient; (2) amount in terms of grant; (3) projected number of people to be served; (4) goal of the program; and (5) projected staffing? [Tabled October 24, 1984]

546. Mr. Cooke: Will the ministry give the following details of each grant approved in this

fiscal year to fund new programs to provide supportive housing for chronically disabled discharged psychiatric patients: (1) name and address of recipient; (2) amount in terms of grant; (3) projected number of people to be served; (4) goal of the program; and (5) projected staffing? [Tabled October 24, 1984]

547. Mr. Cooke: Will the ministry give the following details of each grant approved in this fiscal year to fund new community programs to meet the mental health needs of women: (1) name and address of recipient; (2) amount in terms of grant; (3) projected number of people to be served; (4) goal of the program; and (5) projected staffing? [Tabled October 24, 1984]

548. Mr. Cooke: Will the ministry give the following details of each grant approved in this fiscal year to fund new mental health programs to meet the needs of people who, by reason of culture or language, cannot make use of existing services: (1) name and address of recipient; (2) amount in terms of grant; (3) projected number of people to be served; (4) goal of the program; and (5) projected staffing? [Tabled October 24, 1984]

549. Mr. Cooke: Will the ministry give the following details of each grant approved in this fiscal year to fund new mental health programs to deal with urgent or precipitous problems such as threatened or attempted suicide: (1) name and address of recipient; (2) amount in terms of grant; (3) projected number of people to be served; (4) goal of the program; and (5) projected staffing? [Tabled October 24, 1984]

Hon. Mr. Norton: Announcements regarding

new community mental health programs approved for funding in this fiscal year will be made shortly. The information requested will be made available at that time.

CAPITAL FORECASTS

551. Mr. Foulds: Will the Treasurer provide the most recent long-term capital availability forecasts, including gross and/or net capital availability, prepared by the finance management branch for the years 1984 to 2000? [Tabled October 31, 1984]

Hon. Mr. Grossman: Finance management branch's most recent long-term capital availability forecast was conducted in late 1978 and covered the years 1979 to 1993.

Medium-term capital availability projections

have been done since 1978. The most recent review was conducted in late 1982 and covered the years 1983 to 1986.

Informal staff reviews of both the medium-and long-term projections have been undertaken. The forecasts have not been amended unless the formal review indicated that a significant change was likely and that such a change would affect government policy.

No formal projection was made in 1983 because likely changes were judged to be minor and, as a result, to have little significant impact on policy.

Capital availability has been reviewed with Hydro recently at the staff level.

The gross capital availability figures from the 1978 and 1982 reviews follow as a separate table.

Capital Availability Forecasts Gross Availability, C\$ Millions								
	Canada		United States		Eurodollar		Total	
	1982 Review	1978 Outlook	1982 Review	1978 Outlook	1982 Review	1978 Outlook	1982 Review	1978 Outlook
1984	1,325	1,350	1,150	1,200	250	275	2,725	2,825
1985	1,350	1,425	1,175	1,225	300	325	2,825	2,975
1986	1,375	1,500	1,200	1,250	350	300	2,925	3,050
1987	—	1,600	—	1,275	—	375	—	3,250
1988	—	1,650	—	1,300	—	425	—	3,375
1989	—	1,750	—	1,350	—	425	—	3,525
1990	—	1,850	—	1,425	—	425	—	3,700
1991	—	1,975	—	1,525	—	500	—	4,000
1992	—	2,075	—	1,650	—	550	—	4,275
1993	—	2,175	—	1,975	—	675	—	4,825

INTERIM ANSWER

REPORT ON HOMES FOR SPECIAL CARE

544. Mr. McClellan: Hon. Mr. Drea—An answer to the above question will be provided on or before November 23, 1984.

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Hansard

Official Report of Debates

Legislative Assembly of Ontario

Fourth Session, 32nd Parliament
Monday, November 19, 1984

Speaker: Honourable John M. Turner
Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday, November 19, 1984

The House met at 2 p.m.

Prayers.

Mr. Charlton: Mr. Speaker, on a point of privilege: In response to a question from the member for York South (Mr. Rae) on Friday regarding Du Pont and Ethyl, the Minister of the Environment (Mr. Brandt) made two incorrect statements. He said—

Mr. Speaker: Order, please. On various occasions I have pointed out that a member may rise to correct his own record but not to correct anyone else's. That is not a point of privilege.

Mr. Charlton: I am not rising to correct the record. I am rising on a point of privilege concerning—

Mr. Speaker: No. You have made your point, and I have ruled on it.

Mr. McClellan: With respect, he has not made his point.

Mr. Speaker: With great respect, he did.

DEATH OF POLICEMAN

Hon. Mr. Welch: Mr. Speaker, I rise on behalf of my colleagues to ask members of the House to join me in expressing condolences to the family of slain Ontario Provincial Police officer Vernon Leslie Miller.

Constable Miller, whose funeral is being held today, was a dedicated officer with the OPP for the past 17 years and served in the finest traditions of that force. He was also a valued member of the community in other ways. He belonged to a number of service clubs and acted as manager of the local hockey team.

His death is yet another tragic reminder of the sacrifices made by law enforcement officers and their families in their dedicated service to the people of Ontario. We extend our deepest sympathies to Constable Miller's wife Catherine, his daughter Marnie Jane, 11, and his sons Darren Bruce, 9, and Gregory Thomas, 8.

Mr. Spensieri: Mr. Speaker, as critic for the Ministry of the Solicitor General, I wish to extend from this side of the House our extreme concern and regret at this brutal slaying of Constable Vern Miller. Once again, we are shocked at the brutal and violent manner in which this very worthwhile life was taken from

service to this province, and we are very concerned that this violence is becoming an integral part of life in Ontario.

This latest in a series of fatal attacks upon police officers in this province brings home to all of us the special vulnerability of those members who are responsible for preserving and protecting our society. At the same time, it contributes to ensuring that the fabric of civilization gradually becomes more in danger of being destroyed.

On behalf of the Ontario Liberal Party, I would like to extend to Constable Miller's widow Catherine and her three children our deepest and heartfelt sympathy at their tragic loss. They can all be proud of this fine and exceptional man who was widely respected and admired and who typified the calibre of person who, knowing the risks involved, made a very admirable career of maintaining law and order.

The men and women of our police force daily confront dangerous situations and take serious risks and are, in many respects, unsung heroes and heroines. As we mourn the sad loss of Constable Miller, we pay sincere and grateful tribute to his colleagues throughout the province.

Mr. McClellan: Mr. Speaker, on behalf of my colleagues in the New Democratic Party, I want to thank the Deputy Premier for expressing, on behalf of the government and the Legislature, his own and the government's deepest sympathy to Mrs. Miller and the family. I want to echo those sentiments.

Despite his age—he was only 38 years old—he was a 17-year veteran of the force. Because of his age, he has left three young children under the age of 12 and a grieving widow. They have our very deepest sympathy. Those of us, like myself, who have police officers in our own immediate family understand something of the constant pressure and anxiety that the families of police officers experience on a day-to-day basis.

We share the deep distress of all members in this House and many people across this province about this death and the apparent epidemic of violent assaults on police officers. We hope and pray that Mrs. Miller and her three children will be consoled.

VISITORS

Mr. Di Santo: Mr. Speaker, I ask for your indulgence. May I introduce to the House the mayor of the city of Francavilla from my own region of Abruzzi, together with two senior members of the board of control, and welcome them.

Mr. Spensieri: Mr. Speaker, may I, in the same vein, extend our welcome to the members who have arrived from the city of Francavilla.

[Remarks in Italian]

Hon. Mr. Welch: Mr. Speaker, I would like to take the the opportunity of joining in this all-party legislative welcome to our special visitors. We are always pleased to have people from all parts of the world with us, and particularly to have them here during a session of the Legislature to watch how well behaved we are in this particular parliament. I trust their presence here will be a moderating influence and that we will proceed with the question period without too many incidents, so we can get on with the estimates of the Office of the Deputy Premier this afternoon.

We welcome the mayor and members of council to the Legislature.

2:10 p.m.

STATEMENT BY THE MINISTRY

WATER AND SEWAGE SYSTEMS

Hon. Mr. Brandt: Mr. Speaker, as the honourable members are aware, I take considerable pride, as do all of us on this side of the House, in the achievements of this government and Ontario's municipalities in providing essential environmental services to our citizens.

Communal sewage systems have been provided for 93 per cent of Ontario's urban population, and the benefits in public health and water quality in our rivers and lakes are self-evident. Contrast this with our neighbours in Quebec, where only nine per cent of the urban population benefit from these services. Even more impressive, 98 per cent of our urban population enjoy communal water services.

Since 1956 some \$6 billion has been invested in Ontario in water and sewage treatment plants, watermains and sewers and the other environmental hardware essential to these services. The replacement cost for all these facilities would be \$30 billion in today's dollars.

Although the provincial government does provide some services directly, operating some 380 water and sewage systems across the province, our main thrust has always been to

work in partnership with municipalities and to assist their efforts. Our assistance has been provided in proportion to the needs and resources of the municipality. We have made direct grants of 15 per cent for major water and sewer works and upfront grants scaled to a maximum of 75 per cent for smaller municipalities.

For these smaller municipalities, in some cases even 75 per cent provincial assistance has not been enough for them to afford the water and sewage systems they need. I am pleased today to announce a major revision to our present funding program that will have an effect on communities like Dubreuilville.

Effective April 1, 1985, provincial financial assistance for the construction of water and sewer systems in communities of fewer than 1,000 people will be increased to a maximum of 85 per cent. Second, provincial financial assistance for the construction of water and sewer systems in communities within regional governments will be expanded considerably. Third, provincial grants for the extension of water lines in rural areas will be provided for the first time. The sum of \$34 million in assistance to municipalities will be committed for these initiatives.

I trust that with this increased provincial support many of our smaller communities with limited resources will now find they can afford top-quality municipal drinking water and first-rate sewage treatment.

We have also recognized the plight of some small communities within regional municipalities where either sewer or water systems are inadequate. Provisions have been made in these instances for grants of up to 60 per cent for local services. This is contingent upon 25 per cent participation by the regional municipality.

There is one other element in our new program. In a number of rural areas people have difficulty obtaining enough good-quality drinking water because of local ground water problems. In Lambton, Kent and Essex counties, for example, as well as in many other parts of Ontario, well water is often in short supply and brackish in flavour. To date there has been no alternative to a private well or trucked-in water for rural homes in these areas. We are now prepared to provide grant funding of 25 per cent to these municipalities so they can supply water to these rural areas using plastic pipe from existing serviced communities.

All these changes in the grant program are designed to give smaller communities in all areas

of the province access to high-quality municipal water and sewage services.

ORAL QUESTIONS

WATER AND SEWAGE SYSTEMS

Mr. Peterson: Mr. Speaker, I have a question for the Minister of the Environment. Who is the minister trying to kid with his statement? Let us look at what he has done in the last three years in the project engineering budget line.

Let me give the minister the figures. He cut \$25 million out of the budget in 1982-83, slashed \$32 million in 1983-84 and the projected cut for 1984-85 is \$18.9 million. The minister has already slashed \$76.7 million out of his budget.

Mr. Speaker: Question, please.

Mr. Peterson: Now he is putting back \$34 million. Who is he trying to kid?

Mr. Kerrio: It is called a "half-back program."

Hon. Mr. Brandt: Mr. Speaker, I am not trying to kid anyone. Obviously, the Leader of the Opposition has not been in this House when I have taken the time to explain exactly where those moneys have been deleted from our budget. There is no question we are in a restraint period and there are limitations on the amount of funds available.

The question raised by the Leader of the Opposition has absolutely nothing whatever to do with the program I am announcing this morning nor with the comprehensive list of communities that would be affected in a very positive way. In fact, the cuts mentioned by the Leader of the Opposition relate directly to provincial projects which, as I said in the House some weeks ago, are going to be phased out completely over the course of the next three years. Those projects are quickly coming to an end.

In other words, the facilities are now virtually completed and we will no longer have to invest money in those parts of the budget. However, at the same time we are increasing other areas of our budget. Assistance to municipalities, particularly the small communities, is one area where this government is going to carry out its responsibilities. It will do so in a way that will benefit these communities very directly.

Mr. Peterson: The minister may want to practise a little sleight of hand, but can he tell me what the government is going to do for Carp, for example? His own ministry's study found 60 per cent of the wells there were contaminated by bacteria and 48 per cent of the private sewage

systems are below acceptable standards. It is going to cost a lot of money to repair that.

What is the government going to do for Metcalfe? Last year 30 per cent of the homes tested there had wells contaminated with faecal coliform counts of more than 100 per 100 millilitres. What is it going to do for Russell and Embrun where more than half of the 300 homes still have poor water quality and where there are staining, bad taste and smell? He can juggle it around all he wants in his budget, but what is the ministry going to do for these communities right now?

Hon. Mr. Brandt: I am amazed at that question. The Leader of the Opposition stands up in righteous indignation and reads off a list of municipalities, one of which—Embrun in eastern Ontario—has a brand new water system. How old is his information? I find it difficult to control myself.

In other communities mentioned by the Leader of the Opposition, in many instances the grant structure will now increase from 75 to 85 per cent, requiring the local municipality to come up with only 15 per cent of the project cost. I think that is a very reasonable and responsible position for this government to be taking.

Mr. Bradley: The Minister of Municipal Affairs and Housing (Mr. Bennett) is cutting them back. How can they afford it?

Mr. McClellan: He looks more like a front-runner all the time, Mr. Speaker.

I hesitate to ask this question because this is the minister who believes in the seagull theory of water pollution. In announcing this program, why does he not announce any initiatives to cover municipalities such as the city of York? I refer to those communities which cannot afford to do the kind of sewer separation that would put an end to the pollution of the Humber River and the Toronto waterfront. It is this that has resulted in the closing of Toronto's swimming beaches for the last number of years. Does he not think there is any cause other than seagulls?

The reasons are clear. Why has he neglected to come forward with a program that could eliminate not just problems in smaller communities but major problems in some of the larger communities, that affect millions of people in Metropolitan Toronto?

Hon. Mr. Brandt: Mr. Speaker, there were two special programs announced this year. The cost of one was in the amount of about \$3 million. This sum was applied directly to the Humber River diversion and a cleanup of the

waterfront. It was addressed specifically to correct some of the difficulties in connection—

Mr. McClellan: It was not sewer separation, was it?

Hon. Mr. Brandt: I am going to get to that. I did not interrupt the honourable member when he was asking the question. I listened very carefully.

2:20 p.m.

I indicated in this House that I would provide about \$3 million for that program. In addition to that, my ministry provided some accelerated grants to the Metro municipality to provide some additional services, such as the ones outlined by the member. This year alone, we have committed some \$6 million in a special program that was developed for that specific purpose only. I would say that is going a long way towards helping to clear up the problem.

Mr. Peterson: The minister is aware of the problems in a number of communities because his ministry failed to test at the time that subdivisions were approved in these various areas. He is now presumably going some way towards correcting the problems which he created in the first place.

My question is specific: over what period of time is he dedicating this new \$34 million? Is it over the next five years, the next 10 years? Over how many years is this commitment?

Hon. Mr. Brandt: To the first part of the question, let me just suggest that the honourable leader of the third—second party; I am sorry—may well have lost sight of the fact that this ministry—

Interjections.

Hon. Mr. Brandt: I am sorry I bumped him back. I sometimes have these thoughts about what might happen in a matter of months.

The reality of the situation is that the Ministry of the Environment did not come into existence as a ministry until 1972 and many of the sewer problems that relate to some of the contamination on our beaches have been caused directly by the old technology, which is the combined systems that were the state of the art at the turn of the century. Those systems are quite obviously no longer adequate and are being changed. So the Leader of the Opposition is incorrect when he says that we approved of those services going in and that they therefore now have gone bad. That simply is not correct.

Second, with respect to the \$34 million, it is within the course of the next provincial calendar year.

Mr. Peterson: It is just like the minister. He was state of the art at the turn of the century too, but look what happened.

Mr. Speaker: Question, please.

HIRING PRACTICES

Mr. Peterson: Mr. Speaker, my question is to the Minister of Labour who is responsible for the Human Rights Commission.

I know the minister will be aware of the problems developing in Hamilton with respect to the hiring practices of a number of cab companies there. He will be aware that the Yellow Cab situation now apparently is in the hands of the Human Rights Commission. Now we have the spectre of the president of the City Wide Taxi company admitting that he does not hire East Indians. As I read it, I understand that is a very clear confession of discriminatory hiring practice.

Given the admonitions of his colleague the Attorney General (Mr. McMurtry), who has predicted racial violence in this province unless something is done, and given the strong statement he made a week or so ago about the lack of complicity in the minister's own ministry and with his own ministers about the advertising practices of his government, what strong measures is he going to take, as the minister responsible, to look into the situation in Hamilton to make sure there is no discrimination of any type practised?

Hon. Mr. Ramsay: Mr. Speaker, first of all, my office was in touch with the Human Rights Commission this morning to check with them as to their course of action. They are consulting with all the parties involved, and I should be able to give a definitive statement on the matter within the next few days.

Mr. Peterson: The minister is aware of his colleague's statement predicting racial violence. He said, and I am quoting, "a number of government officials are still reluctant to use visible minority group members in government advertising." The minister knows there are very clear guidelines suggesting that the racial diversity of this province should be reflected in the advertising guidelines. Has the minister looked into this accusation against his own colleagues? Who are those ministers who are not following the guidelines? What is the minister doing to press the case?

Hon. Mr. Ramsay: I have not looked personally into the other ministries to see who is and who is not following the guidelines. I am responsible for the Ministry of Labour. I am

quite confident we are following the guidelines, and I have not had complaints about any of the other ministries brought to my attention.

Mr. Charlton: Mr. Speaker, the kinds of problems we are being confronted with here, especially in the situation of Hamilton, clearly point out that the passive approach which the ministry takes to the enforcement of human rights in this province is a problem. When is the minister going to sit down and seriously look at an active role for his ministry and the Human Rights Commission in terms of an ongoing monitoring of the kind of employment practices in this province?

Hon. Mr. Ramsay: Mr. Speaker, I do not agree at all that we take a passive role. I will admit to a conciliatory role. We try to resolve these problems without having them become screeching headlines. That is what we are trying to do in this particular case.

Mr. Peterson: I remind the minister of his own guidelines on advertising, which say government advertising and communications as a whole should reflect fairly the racial diversity of this province. The minister's colleague the Attorney General has made serious accusations that these guidelines have not been followed by a number of government officials.

As the one responsible for the Human Rights Commission, does the minister not feel he has a role and responsibility to root out those people who are not following the guidelines and make an example of them? If the minister believes the Attorney General, that is the kind of failure to execute government policy that is going to lead to serious social unrest. The minister has to be seen in the activist role. Does the minister not feel that is his responsibility?

Hon. Mr. Ramsay: I am a member of the cabinet committee on race relations, which is chaired by the Attorney General. I am quite confident and positive that committee is taking the active role the Leader of the Opposition is suggesting and the matter is being appropriately and properly addressed.

Mr. McClellan: Mr. Speaker, I am having a bit of difficulty. We have two leadoff questions for the Treasurer (Mr. Grossman), who I am assured is coming lickety-split. Perhaps I could—

Mr. Speaker: Perhaps you could ask your second question.

Mr. McClellan: They are both to him. Perhaps I could stand down our two leadoff questions until the Treasurer arrives.

GOVERNMENT ADVERTISING

Mr. Bradley: Mr. Speaker, I have a question for the government House leader arising out of his responsibility for the Election Act in Ontario.

Governments in the past, not just this government, have used taxpayers' dollars during election campaigns to undertake advertising campaigns through their various ministries. The chief electoral officer for Canada, Jean-Marc Hamel, has recommended to Parliament that advertising by governments should be banned during the period of an election campaign.

Given these facts, is the minister prepared to initiate legislation which would have that effect in Ontario and restore to this province more fairness during the campaigns?

Hon. Mr. Wells: Mr. Speaker, the hypothesis on which that question is probably based is somehow one that would suggest there is something wrong with government advertising. That is a wrong and negative type of basis upon which to base this question.

Government advertising exists to inform the people of what their government is doing and to inform and help people make decisions in important areas, many of them at times urged upon us by members of the opposition. My friend would not want to decry the kind of advertising campaign the Ministry of the Attorney General carries on in regard to drinking and driving. I think all Ontarians support that kind of an advertising campaign, as they support campaigns based on conserving energy, etc.

If the honourable member feels there is merit in advertising, there is certainly no merit in suggesting that at certain times advertising should not be done, if it is in the public interest.

2:30 p.m.

Mr. Bradley: During the provincial election campaign we are talking about a 37-day period during which we might have some advertising of the kind that says, "Life is good, Ontario. Preserve it, conserve it," showing people canoeing down the rivers, the nice clean waters of Ontario, the kind of advertising that is self-congratulatory and designed to improve the chances of a government during an election campaign.

Does the minister not feel that in a sense of fairness it would be responsible to enact legislation such as they have in Saskatchewan which prohibits government advertising during an election campaign except in the case of emergencies? I would agree with the minister that the kind of emergencies we would talk about would

be a campaign against drinking and driving, for instance, but not "Life is good, Ontario. Preserve it, conserve it."

Hon. Mr. Wells: I think my friend has tempered his question considerably now. He has said it would be acceptable in cases of emergency; in other words, a drinking and driving program by the Ministry of the Attorney General or a campaign to inform senior citizens that this is the time they should be applying for their property tax rebates. Who is going to decide these very issues? Why put himself in that position? Why not just trust that most governments—in fact, all governments that I know—would not abuse the advertising trust that they have?

Mr. Philip: Mr. Speaker, does it not seem reasonable to the minister, since there have been criticisms of the government's advertising program by both the Provincial Auditor and the media, to make available to the public and to this House clearly stated objectives that could be measured so we could evaluate them? Or indeed, as we in this party have advocated, why not have a nonpartisan three-party committee to examine these objectives and look at the advertising program, since the government continually has its people defeat any inquiry in the public accounts committee?

Hon. Mr. Wells: It strikes me as very interesting. The honourable member made one comment: he said the program had been criticized by the media. Any of the media that feel strongly enough about the advertising program of this government are quite free not to accept any of that advertising. If editorially they decry the program and yet they want to take the ads, then they are rather speaking out of both sides of their mouths. Anybody who does not like an advertising program or feels it does not have a specific purpose and is not credible does not have to accept those ads.

REPORT ON RENT REVIEW

Mr. McClellan: Mr. Speaker, I will continue to stand down our leadoff questions until the Treasurer arrives, but I have a question for the Minister of Consumer and Commercial Relations with respect to his announcement that he intends not to bring in a legislative program arising out of the recommendations of the Thom commission until some time next spring. This means, of course, it will not be enacted until probably some time either in the late spring or early summer, or even in the fall.

I have a copy of Bill 20, An Act to provide for the Review of Rents in respect of Residential Premises. We were able to have an election on September 18, 1975, first reading of a complete rent control bill on November 6, 1975, second reading on November 20, 1975, and third and final reading on December 18, 1975. Why were we able to do that so quickly nine short years ago and yet now, after two years of royal commission study, we have to wait approximately six months from the time the minister receives the royal commission report to the time legislation is produced in this assembly? What is the big problem here?

Hon. Mr. Elgie: Mr. Speaker, I do not believe there is a problem. I think the honourable member may be trying to suggest that in his mind there is a problem, but as the government sees it, there is in place a rent review program that is functioning reasonably satisfactorily. Indeed, if one compares it with other rent control and rent review programs throughout the country, I think many would say, as I would, that it is a very effective program.

In spite of that, we did appoint Mr. Stuart Thom to carry out a royal commission to make recommendations with respect to any refinements or improvements that might be considered with respect to the present legislation. We now have that report; it is out for public comment and review. We have set up an interministerial working group to review the 65 or more recommendations. I have indicated to the member that I would expect to be able to take some recommendations or views on the report to my colleagues during the winter months and that, with the consent of my colleagues, I would expect that legislation could follow from that during the spring session.

I do not call that delay by any stretch of the imagination. I call that evidence of positive and firm movement forward, particularly in the face of the fact the government has already taken two steps. First, it will eliminate the \$750 exemption by removing the regulation that was in place while we carry out these considerations; and second, a bill has been reintroduced now to extend the five per cent cap on financing costs relating to a sale.

I call that moving on a report, and I call that moving rapidly with speed.

Mr. McClellan: I call it delay.

In November 1982, the two crucial issues of illegal rents and of costs no longer borne by the landlord that have been passed on in the form of higher rents to tenants were matters of critical

urgency. The government now has before it a whole series of concrete recommendations which it could quickly put into legislative form and put before this assembly before we rise for the Christmas break. We could then begin the process of studying it in detail in the winter break so we could be ready to enact legislation in the spring.

Why is the government obviously prepared to tolerate the continued ripoff of thousands of tenants in the form of illegal rents and in the form of rent charges for costs their landlords are no longer paying? Why is the minister prepared to tolerate this for up to another 12 months? Why does he not act very quickly and expeditiously to bring something before us in this session? We will do our best to get it through and out to committee for some serious clause-by-clause work in the spring.

Hon. Mr. Elgie: I would not want the public to be under the misapprehension that there is not already in place a mechanism whereby illegal rents can be recovered. Indeed, if the member were to review and read the Residential Tenancy Commission report, he would know that not only is there a process in place but also that considerable amounts of money have been recovered by tenants. We are not talking about an act that does not address this issue.

Second, I find it very interesting that the member wishes to rush ahead with the issue of cost correction hearings, when at estimates some two days ago he called the recommendation that the Thom commission had made simply "another hurdle for tenants to jump over." Clearly, he has reservations about the recommendation in that report.

What I am saying to him is that we are waiting for public comments on the report. We have a working group reviewing the report, and I have outlined in very great detail the process it will go through, which I hope will lead to the tabling of legislation in the fall, if that is what my colleagues agree to.

Mr. Peterson: Mr. Speaker, is the real reason the minister is not moving on this matter that the member for Muskoka (Mr. F. S. Miller) may win the leadership and he is going to disband rent controls?

Hon. Mr. Elgie: Mr. Speaker, I have no reason to suspect that would happen at all.

Mr. Speaker: We will revert to leader's questions. The member for Bellwoods.

ONTARIO RENTAL CONSTRUCTION LOAN PROGRAM

Mr. McClellan: Mr. Speaker, I have a question for the Treasurer with respect to the Ontario rental construction loan program. He has awarded about \$75 million of taxpayers' money to a whole boodles of private developers for them to obtain one of the great boondoggles of the decade.

I am asking the Treasurer, because of the apparently permanent absence of the Minister of Municipal Affairs and Housing, what he thinks, from a public administrative perspective, of either the wisdom or the propriety of this government giving out \$32,196,915 in interest-free mortgage money to 77 numbered companies.

Is it the practice of the government of Ontario to give out tens of millions of dollars of taxpayers' money in the form of interest-free goodies to numbered companies without any knowledge about the beneficial owners, the principals or who the dummies are behind the dummy companies?

2:40 p.m.

Hon. Mr. Grossman: Mr. Speaker, let us remember that numbered companies are only a replacement for companies with names that used to reflect people's street addresses, law firms or a combination of their family first names.

I think I was practising law when the change was made. It was made because lawyers were coming up with extraordinarily unusual names for companies for their clients. In order to be able to continue to come up with a supply of names when thousands of companies were being incorporated every week, there was a request from the legal community that we go to a system that is used in many places, which is to replace names with numbers.

However, by using numbers rather than names, there is no more or no less secrecy; there is no more or no less implicit hiding of anything. To this very day, there are probably as many companies being incorporated with names as with numbers. The amount of information available under both circumstances is precisely the same.

Mr. McClellan: The Ontario rental construction loan program was supposed to provide affordable housing for middle-income people in general. When developers received the interest-free money, up to 20 per cent of the units were supposed to be subsidized.

One of the numbered companies that received a loan is 47812 Ontario Inc. I am sure the minister will remember this company. It is one of my favourite companies, too. It built an apartment in Mississauga, at 2699 Battleford Road, using ORCL money. I have a brochure from the apartment. It is nicely embossed in purple and gold. It is called Lakeside Place Apartments. The rent for a two-bedroom unit ranges from \$685 a month to \$735 a month.

Part of the promotional material has a checklist of luxury features. I will read it briefly, "Open wood-burning fireplaces, air-conditioning, etc."

Mr. Speaker: Question, please.

Mr. McClellan: Yes, Mr. Speaker. Why did the ministry give out about \$75 million in taxpayers' money, in the middle of one of the worst housing crises this province has experienced since the end of the war, to developers in order to build unaffordable luxury apartment accommodation in Toronto and other communities across this province?

Hon. Mr. Grossman: I will take down the number and refer it to my colleague who, I am sure, will be able to enlighten the member with regard to the information behind that.

Mr. McClellan: Not a chance.

Hon. Mr. Grossman: The member is right. He probably could not be enlightened, but at least he will have the information with regard to that transaction.

Mr. Peterson: Mr. Speaker, there is an important policy matter here. As Treasurer and as one who aspires to lead that party, why would he not put forward the alternative of putting his emphasis into nonprofit and co-operative housing? Would that not be the best and most fruitful way to get the maximum number of units for moneys expended? Why would the Treasurer not use his clout to make sure that was the direction of his government?

Hon. Mr. Grossman: Mr. Speaker, in the absence of others, that is not a bad idea. I will certainly contemplate it while I remind the member that we do have a great deal of investment in the kinds of housing about which he is talking. As I recall the program—I could be mistaken—I think the purpose was to allow the construction of relatively low-cost—

Mr. McClellan: Such as Lakeside Place?

Hon. Mr. Grossman: I heard what the member said. The purpose of this was to allow the construction of relatively low-cost apartments in order to deal with the overall vacancy

rate, thus alleviating the pressure about which we all know.

All sorts of programs are necessary. Over the years, I think this program has proven to be fairly important because it has caused the construction of many thousands of apartment units for middle-income people who otherwise would not have those apartments. We should not confuse this program with the others and suggest this is all we are doing. We are doing a great deal in the other areas, too.

Mr. McClellan: In the light of the fact the Treasurer's albatross friends in Ottawa have now cut \$10 million out of the social housing program and, although they have not decided completely, are at least threatening the 1985 allocation of social housing units for Ontario; in the light of the colossal, monumental, stupefying failure of this birdbrained ORCL program, combined with the complete abdication as a government of any participation in housing construction and housing development in the social housing field since 1978; what steps do the government and the Treasurer intend to take to make sure Ontario goes back into the business, which it abandoned in 1978, of acting as a full and equal partner in the development and construction of new affordable housing in this province, which includes units for people who require subsidization?

Hon. Mr. Grossman: I would offer the view that in the entire housing market it would be appropriate for this government and all provincial governments to include on the agenda for discussions with the new federal government the whole question of housing and the various forms of subsidy that are required to provide adequate accommodation at the proper cost, including enough private-sector-based accommodation.

I know my colleague the Minister of Municipal Affairs and Housing has already spoken to the federal minister—I think it is Mr. La Salle—with regard to what programs might succeed the ones on which they are altering the funding.

I want to be very clear that I do agree with the member that there is scope for federal-provincial co-operation in dealing with this very problem and I am confident it will be done. This is, I would remind the member, a new era of co-operation when indeed we can talk to our friends in Ottawa.

MEDICAL TRANSPORTATION

Mr. Wildman: Mr. Speaker, I have a question of the Treasurer with regard to the statement he made in Fort Frances on Saturday

that northerners should not have to shoulder the burden of expensive travel and accommodation costs when getting medical treatment in Toronto and that he is going to subsidize medically necessary travel for northern Ontarians if he becomes Premier.

Now that the minister has made this kind of statement and has made it clear, as he said, that it is time for this step forward and he is ready to develop a program to cover medically necessary travel for northerners, will the Treasurer make a clear statement about how much he estimates it will cost for travel and accommodation of this type?

Will he make a clear statement that the required funds can be made available from the Ontario Treasury so that the Minister of Health (Mr. Norton) can implement this policy before the end of this session? Why should we have to wait for the Treasurer to become Premier—if and when that might happen—or why should we have to wait for further comments or dribble drabble out of his campaign program?

Is it not time, as the Treasurer says, to respond to this need rather than to make opportunistic statements as the campaign progresses? Why should we in northern Ontario have to be made a political football? When are we going to get the program we need, medically necessary travel coverage for northerners who have to travel to southern Ontario?

Hon. Mr. Grossman: Mr. Speaker, I was present and I remember members on this side of the House, particularly my colleagues from the north, heartily endorsing the resolution to provide this very kind of service.

Mr. Nixon: To whom are you gesturing?

Hon. Mr. Grossman: To my northern colleagues.

The answer to the member's question concerning whether I am prepared to outline the costs of this and outline the program is that I am, absolutely. It may not be this afternoon, but it will be in the next 60 days. Obviously, the cost depends very much upon the particular type of program we outline to allow the next step forward in continuing to provide world-leading health care services to people in the north.

2:50 p.m.

This government has made remarkable strides under all of the administrations in this province. I might say that, after all, two of my colleagues with whom I am currently engaged in other activities were Health ministers who played a large role in expanding those very health services

to the north. I like to think I was able to move that a step forward when I was Minister of Health.

I believe all the leadership candidates would be interested in hearing the voices of our caucus and others on finding ways to extend this service to northerners. I am committed to do that responsibly. It must be developed as a comprehensive package which deals with the cost and funding by the government. That is an achievable task, and I am proud to be able to say it is not a political football but something whose time has come. Properly structured, it will be done.

Mr. Wildman: Mr. Speaker, that is very interesting considering the Minister of Health has indicated it would cost about \$50 million—

Mr. Speaker: Question please.

Mr. Wildman: —down \$25 million from what he initially said it would cost. He has indicated he does not think we can afford it and—

Mr. Speaker: Question.

Mr. Wildman: —that it is a choice between travel and better facilities in the north—

Mr. Speaker: Order. Will the honourable member please place his question.

Mr. Wildman: We northerners understand we are never going to have all the specialized facilities that are available in places like Toronto. But as a matter of justice—

Mr. Speaker: Now for the question.

Mr. Wildman: —for the smaller communities of the north, will the Treasurer state clearly now, not later in his campaign, whether or not the provincial government can afford to cover the costs of medically necessary travel for northerners?

Hon. Mr. Grossman: I think in the future we will be able to do that—

Mr. Laughren: Keeping in mind cabinet solidarity too.

Hon. Mr. Grossman: That is right.

I think we should be able to do that, thanks in part to the excellent performance of the Ontario economy, which is generating revenues even beyond my expectations this year.

But I should tell the member I do understand the circumstances. The member was very thankful for the cancellation of an event that had been scheduled for Thursday of this week. In anticipation of this event, his party had placed advertisements in northern newspapers inviting the public to write and express, by coupon, their support for this program. I think our party will be prepared, regardless of the outcome in January,

to step forward with the very program that would make all those paid advertisements meaningless.

I understand the member's frustration, although I cannot share it with him. As I said earlier, providing that program is timely, and given the performance of the economy in Ontario this year and the performance I fully expect for next year, I think we will be able to begin to fund that program now. It is quite workable.

Mr. Sweeney: Mr. Speaker, it is curious that when the Treasurer was Minister of Health he disapproved of such subsidies. It is also curious that the last time this question was raised the present Minister of Health indicated this proposal implied a colonialist attitude on the part of the members of the opposition and he would have no part of it.

Mr. Speaker: Now for the question.

Mr. Sweeney: May I ask the Treasurer—who hopes to be Premier—in what reincarnation he supports or does not support such subsidies? Who does speak for the health issues of Ontario: the former Minister of Health or the present one? What is the policy of this government? We have heard two policies from the same man in two incarnations and two policies from the same front bench of the same government from two different ministers.

Hon. Mr. Grossman: Mr. Speaker, would the member want to begin by talking about the two views the member's one leader has had on, say, extra-billing or pornography? Does he want to go into those issues?

Mr. Sweeney: Tell us who speaks for that government.

Hon. Mr. Grossman: I will tell him who speaks for this government. Very simply, if I were speaking for this government after January I believe I could structure a program and rearrange the funding—add the funding—necessary to take this step forward. My colleague, who is a superb Minister of Health, has made it quite clear that the costs and design of the plan proposed by the New Democratic Party is unaffordable and not the right kind of plan.

However, it is quite a different thing to say that the creative minds on this side of the House—I include all of my colleagues in that—can devise a program and can now have the funding, thanks to the policies of this government, in future years to begin to move in that area.

I hope to be the one speaking for this government next year. If I am not, then so be it. Right now, the member can be assured—

Mr. McClellan: Cut the campaigning in here, will you?

Hon. Mr. Grossman: Happy to. The member can be assured that I believe we can now take the next step forward and I am confident, thanks to work that is being done inside this government on this very issue, we will be able to move forward regardless of the outcome in January.

Mr. Wildman: The Treasurer, whether he becomes leader of his party or not, does speak as the cabinet officer responsible for the Treasury and for the allocation of funds to ministries in the budget. Either we can afford this program or we cannot, in the view of the government.

If we can afford it, will the Treasurer explain why we are not now ready to implement it? Why will the government not implement it prior to the end of this session, rather than waiting until he may or may not become Premier of the province? Also, can he clarify whether or not he was expanding the proposal that has been made and voted on in this House to include not only medically necessary travel but also accommodation?

Hon. Mr. Grossman: I can only repeat what I said earlier and that is that in order to implement this program there has to be a wide variety of alterations and changes, improvement in program design, implementation and rearrangement of other government programs and mechanisms of assistance. In other words, it is not a one-shot exercise but has to be brought in as part of a comprehensive series of measures that would be taken to assist with this very serious problem in the north.

Obviously, it is not something that we are ready to do or could be ready to do this fall, nor, had I been leading this government earlier this year or last year, do I believe we would have been ready to introduce that program this fall. I do believe that next year and the year after we will be able to begin to implement that program.

ADHERENCE TO MANUAL OF ADMINISTRATION

Mr. Speaker: The Chairman of Management Board of Cabinet has the answer to a previously asked question.

Hon. Mr. McCague: Mr. Speaker, there has been considerable interest in a letter which I received from the Attorney General regarding the chairman of the Toronto Area Transit Operating Authority, Mr. Lou Parsons, and I wish to now table this letter with the Clerk of the House.

[Later]

Mr. McClellan: Mr. Speaker, I have a question for the Chairman of Management Board with respect to the document he tabled a moment ago. It is a legal opinion, but not exactly from the Attorney General; it is actually from Mr. J. J. Robinette. The letter reads, in part:

"You have asked for my opinion as to whether Mr. Parsons would be violating section 15 of the Public Service Act if he were to actively work for a candidate for the leadership of the provincial Conservative Party....

"Clearly Mr. Parsons is a crown employee within section 15 and I think it is equally clear that if he works on behalf of a candidate for the leadership of the provincial Conservative Party he is engaging in an activity for or on behalf of a provincial political party within the meaning of section 15."

Since the legal opinion is clear and unequivocal, may I ask the minister whether he intends to ask Mr. Parsons for his resignation as chairman of the Toronto Area Transit Operating Authority?

Hon. Mr. McCague: Mr. Speaker, it is always easy to have a selective reading. I am sure the honourable member has the same letter I have and he chose to read the third last paragraph. Perhaps I could read to the House the last paragraph just to bring members up to date. It says:

"I understand that Mr. Parsons' position as chairman and member of the Toronto Area Transit Operating Authority is a part-time position and that he is not required to devote all of his working time to his position. However, in my view section 15 of the Public Service Act does prohibit Mr. Parsons from working or acting for or on behalf of a candidate for the leadership of the Ontario Conservative Party during his working hours, whatever they may be. On the other hand, section 15 does not prohibit him from so acting outside his working hours."

Do I need to say any more? Should I read it again to the honourable member?

Mr. Bradley: Mr. Speaker, does the minister not feel, through his own legal interpretation of this letter, that if Mr. Parsons can continue to work for the government—that is the minister's interpretation, of course—it would be wise to ask him at least to get a leave of absence for the duration of the leadership campaign to remove the controversy that surrounds this particular case, rather than go through, day after day, questions coming up about his, let us say, objectivity in dealing with various issues that

come before the government, since he happens to be working for one of the leadership candidates?

Mr. Speaker: The minister—briefly.

Hon. Mr. McCague: Mr. Speaker, you know my penchant for long answers. I forget what he said now; you interrupted me. The answer is no.

PLANT SHUTDOWN

Mr. Peterson: Mr. Speaker, this is to the Minister of Labour with respect to the strike at Can-Car Rail Inc.

A press report today on the Canadian Broadcasting Corp. said there was a secret report in the hands of the management that was threatening to close down Can-Car in Thunder Bay, taking some 450 jobs out of that community, closing them down, and subcontracting the work out to United States companies if the workers were not prepared to make certain concessions. Can the minister confirm whether that is true, whether another arm of his government is bargaining in that way?

Hon. Mr. Ramsay: Mr. Speaker, I cannot confirm whether that is correct or not.

Mr. Peterson: If that report is true, and I understand it may be made public this afternoon, does the minister approve of that kind of tactic and is he prepared to discuss with his colleague the Minister of Transportation and Communications (Mr. Snow), who is responsible for that agency, which is 80 per cent owned by the taxpayers of this province, that the government completely disapproves of these kinds of threats, that the government completely disapproves of this kind of bargaining in bad faith and that the government in this province will not tolerate it?

Hon. Mr. Ramsay: I have consulted with my colleague the Minister of Transportation and Communications twice today on that matter and at no time was there any thought whatsoever of threats or anything of that nature. We discussed the Can-Car situation but that aspect of it never entered our conversation.

3 p.m.

Mr. Laughren: Mr. Speaker, since Can-Car is controlled by the Urban Transportation Development Corp. and is therefore under some kind of direction and control from the government, would the minister use his influence to get the two sides back to the bargaining table and require management to put forth a decent offer? If I understand it correctly, the last offer amounts to requiring concessions from the work force.

Would the minister do two things: first, give us assurances that production will not be shifted to some other plant, perhaps in the United States; second, get the two sides back together and have management put a decent offer on the table?

Hon. Mr. Ramsay: Mr. Speaker, I believe we are all jumping to conclusions here. When there is a work stoppage such as we have here, it is normal for the parties to sit back and reflect on their positions. That usually takes a period of time. We are prepared to attempt to get the parties back to the bargaining table and we are prepared to provide mediation services, absolutely; but we have to have the consent of both parties to do that.

I also feel, as I have said before in the House, each work stoppage is unique in itself and has to be treated in a somewhat different way. One does not go rushing in there with all sorts of grandiose ideas for a settlement on the first day the workers go out on strike. Let them cool off a bit, let them review their positions and then let us get them back to mediation. That is the responsible way and it has been the proven way in labour negotiations in the past.

GREAT LAKES WATER QUALITY

Mr. Charlton: Mr. Speaker, I have a question for the Minister of the Environment. The minister will recall that on Friday he was being questioned by the member for York South (Mr. Rae) concerning lead discharges from the Du Pont plant and the Ethyl Canada plant.

Can the minister tell the House why in his answer he said, "The technology required in order to abate that particular problem is not in existence anywhere in the world," when, according to ministry staff, Du Pont has technology in place in its New Jersey plant for the removal of lead from its discharge wash waters?

Hon. Mr. Brandt: Mr. Speaker, in 1982 the standard for our ministry for lead discharges to water was one part per million. At that time, both Du Pont and Ethyl Canada were running at about double the standard that was allowable by my ministry, at about two parts per million. Subsequently, in 1984, they did introduce technology. I indicated in the House they were working on a retrofit of the plant to bring in state-of-the-art technology and have reduced the discharge in that plant to about one part per million.

Subsequent to that, we further tightened the standards within the ministry to 0.5 parts per million, which is another reduction to about half of what it was previously, as I am sure the

member will be pleased to hear. We have not as yet seen technology that can be applicable to that standard and effective in that type of situation, given the plants that are there now and the retrofit that would be necessary, but we are attempting to move to another level of control, which is beyond what those plants can reach with known technology.

Mr. Charlton: We had a call from a Dr. Bernard Fleet from Environmental Monitoring and Control, a small Canadian company specializing in pollution control and monitoring equipment. According to the good doctor, there is a technology available. It is an electrochemical recovery system that can do the job.

Can the minister explain why he seems to be so out of touch with what other people know about existing technologies? Can he explain why the Du Pont and Ethyl Canada plants in Ontario have not been required to install the same technologies that have been used by Du Pont elsewhere?

Hon. Mr. Brandt: They have been required to implement the best technology known at the particular time those plants were refitted.

I might say to the member I am not at all reticent about speaking to the gentleman he has named and reviewing with him the application of that particular technology to both the existing plants. It may or may not be the type of technology that would fit and have some positive effect on the control of those discharges.

I can only say this ministry is not out of touch with the known technologies and state of the art with regard to pollution abatement equipment. We are reaching for a very high standard, which is very difficult to achieve from a technological standpoint, but we are quite prepared to work on improving our present levels.

Mr. McGuigan: Mr. Speaker, the minister has made some progress in cleaning up the visible problems in the lake. We do not see the algae and dead fish of a few years ago, but we have a far worse problem in those lakes in the invisible pollution from about 1,000 chemicals that have now been identified in fish and a great many others that have not been identified. Why does the minister not put a control order on that company to stop absolutely the discharge of lead into that lake within the next two, three or six months so that we know definitely it is going to end?

Hon. Mr. Brandt: If the company is not prepared to co-operate, we are quite prepared to require, through a control order, that the company take additional steps in an abatement

program that would prove to be effective. Thankfully, that has not been necessary at this time because they have been very co-operative in putting in the new technology and the kinds of improvements that are necessary in the operation of that plant to bring the discharges down to the levels which I indicated somewhat earlier in my response to the member from the third party.

The reality is that we are talking about state-of-the-art technology. We are working with the plants to achieve the kinds of standards that would be acceptable to both of us. I can assure the member we are prepared to consider such things as a control order.

ALTERNATIVE ENERGY

Mr. Kerrio: Mr. Speaker, I have a question for the Minister of Energy. Does the minister recall a former Minister of Energy releasing a report entitled Energy Security for the Eighties? It stated we should develop 1,000 megawatts of power from the Onakawana lignite reserves in James Bay, go into nonconventional renewable resources in wind, solar and biomass, develop 2,000 megawatts of small hydraulic sites and have more of a generation mix.

What has happened to the government's resolve to go into these very important areas now that it is faced with tremendous increases in the cost of fuel?

Hon. Mr. Andrewes: Mr. Speaker, I recall very well that document released by my predecessor, the Deputy Premier (Mr. Welch), in which the programs of the government for energy security were set out. I think it is fair for the honourable member to remember that when those programs were addressed, when the document was released, we were facing somewhat of a crisis with respect to oil prices; and projected oil price increases of up to \$50 to \$60 a barrel for the mid-1980s.

Those prices did not materialize. They did not materialize because although the Organization of Petroleum Exporting Countries particularly believed it had a tight enough control on the world's supply of oil that it could increase prices at will, that did not happen without a very serious effect on the world's economy, and the consequent slowdown in the use of oil which resulted in the current surplus situation we face today.

3:10 p.m.

I think it is very important that the honourable member understand that the focus of the ministry now with respect to the document Energy Security in the Eighties will be one of applying technologies that have commercial viability and

applying renewable technologies, whether they be in the field of wind, solar or small hydraulic, but choosing areas where there is commercial viability. That is where our thrust will be and those are the areas we will continue to encourage.

At the same time, we will not place any less emphasis on the conservation programs we have in place, and we will be encouraging commercial efforts in the conservation field as we move to the end of the 1980s without the pressure of those higher world prices.

Mr. Kerrio: It would appear we are now going to set this program back and wait till we are threatened again before we do something in the alternative. The federal government, when it charged extra taxes on fuel, at least put them to good use. The industry was doing some exploration and such things.

The minister is going to bring into the coffers of this government an additional \$367 million from Ontarians because of the increase in federal taxes. Does he not think it is about time we did something for future generations by looking at the alternatives, using this windfall he now has at his disposal?

Hon. Mr. Andrewes: I would not be shy at all to say to the honourable member we will continue to put emphasis on the technologies that will relieve us of the problems we faced in the late 1970s and early 1980s, problems caused by our dependence on offshore resources. We now face a situation where we have initiatives under way to relieve that kind of pressure and to make ourselves self-sufficient. We have a direction clearly set out for ourselves that will make this country self-sufficient in energy supplies, and we are moving full steam to do that.

Mr. Speaker: The time for oral questions has expired.

Mr. Breaugh: Mr. Speaker, on a point of privilege: You will understand that I was shocked this morning when I was handed a picture from a Toronto tabloid that features our very own Minister of Revenue (Mr. Gregory) posing in a kind of centrefold layout with someone named Vanessa Williams, who apparently posed nude in a magazine called Penthouse. The caption here is that Vanessa Williams wants "an encore" and the minister is going to "show and tell."

I think we have a right to know just what the Minister of Revenue is going to show and when he is going to tell us about it.

Mr. Speaker: I get the feeling we will never know, because that was not a point of order.

REPORT

STANDING COMMITTEE ON PROCEDURAL AFFAIRS

Mr. Treleaven from the standing committee on procedural affairs presented the committee's ninth report on agencies, boards and commissions and moved the adoption of its recommendations.

Mr. Treleaven: Mr. Speaker, in September of this year the standing committee on procedural affairs reviewed the following six agencies, boards or commissions: the Animal Care Review Board, the Ontario International Corp., the Niagara Parks Commission, the Ontario Junior Farmer Establishment Loan Corp., the Children's Services Review Board and the Niagara Falls Bridge Commission.

On motion by Mr. Treleaven, the debate was adjourned.

INTRODUCTION OF BILL

CITY OF HAMILTON ACT

Mr. Charlton moved, seconded by Mr. Breaugh, first reading of Bill Pr12, An Act respecting the City of Hamilton.

Motion agreed to.

3:20 p.m.

ORDERS OF THE DAY

House in committee of supply.

ESTIMATES, OFFICE OF THE DEPUTY PREMIER (continued)

Ms. Bryden: Mr. Chairman, on Friday when the clock cut my presentation short, I still had a few areas I wished to raise before the minister replied to the leadoffs from the two critics. If I may proceed on that, I would like to mention those few areas.

Just to refresh the minister's memory, my theme on Friday was that the Ontario women's directorate, which the minister oversees, is asking us to vote a budget of about \$5 million for it. My theme is that unless we can see some real action in the major areas of concern to women in achieving equality, we will be questioning the voting of such a large sum for the directorate. We are not sure until we see more action whether the directorate is just a big blue bureaucracy or perhaps a big blue public relations machine, because so far we do not appear to have had a great deal of action in the 10 areas I mentioned as

being of key interest to women at present in achieving equality.

To run over them very briefly, those 10 areas are:

1. Closing the wage gap;
2. Real progress in affirmative action;
3. Adequate provision for helping battered women;
4. Family law reform, sooner not later;
5. Abolition of sex stereotyping in the schools, in the media, in advertising and throughout all aspects of our society;
6. Adequate child care on a universal basis for all those who wish it and need it, because it is essential for women to have this if they are to achieve equality in the work place;

[Later]

Mr. Chairman, first of all I have a point of order: I want to correct the record. In my earlier remarks this afternoon, I listed again the 10 items on which I said we needed action in order to justify the work of the directorate, but I inadvertently omitted item 7. I have just received a copy of the record which shows that it jumps from 6 to 8. Item 7 of the issues on which we need action is the question of equal access to legal abortion so that women who choose to exercise their human right to make decisions in this area are able to make decisions affecting their own life.

8. A charter of rights for part-time workers;

9. Adequate protection for domestic workers, who are mainly women in this province and who are greatly exploited, particularly because they have no protection on their hours of work or any overtime pay, and they get a minimum wage below the general minimum wage; and

10. Responding to the high-technology revolution with adequate programs to see that the people who are displaced or affected in the work place by high technology are able to obtain the kind of retraining they need, or the kind of adjustments needed in the organization of the work place, so they are not the victims of the high-technology revolution and so the benefits of the revolution will be shared by all people in the province, both management and workers.

Those were the 10 areas in which I still have not seen enough action to justify the expenditure of \$5 million on a directorate. That may sound a rather harsh judgement, but there are also growing feelings that the stubborn refusal of the minister to consider equal pay for work of equal value is based on a desire to protect employers from the wage cost that would be involved in closing that wage gap.

We are not suggesting it would be done overnight; it would be done on a gradual basis, with people making applications under an equal value law such as we are proposing in Bill 141. In effect, it would be a great shot in the arm to the economy because it would put additional purchasing power in the hands of a great many women who are underpaid at present. It would also end the subsidy that women are making to employers by being paid lower wages in the so-called women's jobs in the women's ghettos than they would be entitled to if the value test were applied to their work.

The other area where we see lack of action of any significant type is in the area of affirmative action, which is an essential part of closing the wage gap. I recall that we do not even seem to have moved beyond the voluntary approach to the approach which the minister himself, in an interview on May 25, 1984, suggested might be a next step.

In that interview, with Jackie Smith of the *Toronto Star*, he is quoted as saying, "I don't think we'll see legislation in the immediate future," in talking about affirmative action. This is a direct quote from him, but the article also says he "promises some action by the end of the summer. For example, he says government will consider whether or not a company has an affirmative action program when it awards contracts."

He was considering contract compliance back on May 25, but we have not heard anything more about it since. What he is doing right now is reading lectures to both the private and public sectors, saying: "If you do not bring in affirmative action programs, we will see that something is done to force you to." At least, that is the implication of his speeches.

So far, it looks as if he is simply waving his finger at them, but there is no move towards mandatory affirmative action. In those areas, we are very dubious whether the directorate is in tune with the wants and needs of the women of Ontario. Certainly, all the briefs the women's organizations keep submitting to us indicate that equal pay for work of equal value and mandatory affirmative action are their top priorities. These issues are considered intertwined. We cannot close the wage gap without having affirmative action as well, and on a mandatory basis, if we are going to have any real progress in that field.

That is reviewing what I said on Friday. To go on to the other areas I want to raise, and I hope the minister will respond to them, there is the question of impact studies. When the ministry

was set up, it was announced that part of its mandate would be to do impact studies of all legislation or changes that were to be brought in affecting women. I would like to know which branch of the directorate is responsible for doing those impact studies. Where does it come in the organizational chart? How many impact studies have been done so far? Can any of them be tabled, and if not, why not? On what pieces of legislation or administrative changes have impact studies been done?

This seems to me a whole area where we would like more enlightenment. It is part of the mandate in the black book for the directorate—by the black book, I mean the briefing book—that the functions of the directorate include to "analyse and evaluate existing and proposed legislation, policies and programs for their impact on women." The proposed legislation definitely comes under that.

3:30 p.m.

I would like to ask in particular whether an impact study has been done on Bill 141 and on the Theatres Amendment Act, which has great impact on the question of how we control violent pornography against women, which degrades women. Also, has an impact study been done on the new Public Libraries Act, which puts a great deal of power in the hands of the ministry in particular over the budgets and planning of the libraries? We know that a very large percentage of employees of libraries are women. We also know the Metropolitan Toronto Library employees currently are on strike over the question of technological change. They are requesting that they be included in planning for technological change in the libraries. Presumably, this new act would give the minister power to insist that there be some joint worker-management planning for technological change. We would like to know whether that act has been subject to an impact study for its effect on women.

I think it is a great mistake for workers not to be involved in planning for technological change in an area such as libraries. No doubt the wrong kind of technological change may be brought in without the double input from both management and workers. Technological change is becoming an important part of collective bargaining, since we do not have any legislation in this province covering it. There is no early warning system through legislation that specifically says it must be part of collective agreements or that there should be joint labour-management committees to deal with it.

I would also like to know whether there was an impact study done on a fourth bill, Bill 101; it covers the amendments to the Workers' Compensation Act. Pensions for both widows and widowers are covered by that bill, and the changes are considered inadequate by a great many people. Most of the people eligible for survivors' pensions under the Workers' Compensation Act are women. Therefore, this is another area where I think an impact study should have been done. It is another issue on which we would like more enlightenment.

Another issue relates to the Charter of Rights and Freedoms. In his statement, the minister said on page 21 that he was "working closely with women's legal groups to disseminate information on the meaning of the equality sections."

We all know the anti-discrimination section, section 15, which includes discrimination against women, comes into effect on March 31, 1985. Many provinces have been looking at their statutes to see which ones would be found in violation of the Charter of Rights and Freedoms, for discriminating in some way against any of the groups mentioned in the charter. They have been planning what legislation is necessary before that deadline so they will not be found with a lot of statutes that are in violation.

Through an excellent new publication called the Canadian Legislative News, I have learned that Alberta has just passed a Charter Omnibus Act, which covers amendments to 30 bills. That province had a committee made up of lawyers, government officials and others knowledgeable in the field, which studied all provincial statutes. It came to the conclusion that about 250 of the province's 450 statutes might be in conflict with the charter. The Department of the Attorney General studied the recommended statutes and winnowed the number down to 30. That seems like a pretty drastic cut. Anyway, at least those 30 are now subject to this Charter Omnibus Act.

What it means is that if these 30 laws are amended before March 31, the province will not have to invoke the "notwithstanding" clause in the Charter of Rights, which enables legislatures and the Parliament of Canada to override the charter on any given statute. That notwithstanding clause was the subject of great discussion during the constitutional debates. Women's organizations, as well as minority groups affected by the discrimination clause, were very much opposed to having that notwithstanding clause in the charter, but it was one of the compromises that came about during the constitutional negotiations.

Under the notwithstanding clause, the Parliament of Canada or the legislature of a province can pass a law saying any law that might violate the charter is in effect notwithstanding the terms of the charter. That is a pretty big power to give to the provinces and the Parliament of Canada. It has one restriction, which is that if they do make such a declaration by enactment, it is in effect for only five years. Unless they re-enact that declaration, the law is no longer effective notwithstanding the charter.

I hope the minister will give us more information on whether he and the Attorney General (Mr. McMurtry) have discussed introducing a charter omnibus bill, either in this fall session or very early next spring, if we have a session before March 31 after the leadership convention, so we can be in a position to have any discrimination that appears to conflict with the charter removed before we meet that deadline.

Ontario would not like to find itself in the position of having a great number of its laws challenged under the charter because they were discriminatory. In some cases it is rather ancient law that contains these discriminations, but it would be just as well to get them out before March 31. That is the second area I want the minister to look at.

The third area is the question of retraining, which is necessary for women to help them get into the nontraditional jobs and overcome the barriers to equality.

On page 8 of the minister's statement, he says: "The directorate evaluated and assessed women's participation in a variety of federal and provincial training programs. We have determined that a basic framework for training exists but that women's access is still being hampered for a number of reasons. Some of the stumbling blocks relate to outdated attitudes among employers and counsellors regarding occupations suited for women. Other barriers include inadequate training allowances, lack of bridging or upgrading programs and the absence of necessary supports such as child care."

3:40 p.m.

This government has the power to do something about the necessary support for child care. To a large extent, that is a provincial responsibility, although I know the federal government shares whatever we spend under the Canada assistance plan. The minister points out there is an absence of necessary support such as child care. This is an area where we want to see a great deal more action than we have seen in the past.

As I mentioned on Friday, there is a shortfall of about 84,000 supervised child care spaces in this province for the number of women in the work force with children under six.

The minister then goes on in his speech, on page 7, to mention that the 1984 provincial budget reflected the need for new and increased training initiatives. He mentioned four initiatives and we would like to know how much of the money for those initiatives is going to apply to women.

First is \$450 million for the Ontario youth opportunities fund, which will be invested in youth training and experience. If he mentions it as one of the initiatives that will help women, we would like to know how much of that \$450 million will go to women.

Second is \$150 million for the Ontario skills fund, which involves a four-part program to invest in the retraining and upgrading of experienced workers. How many women will participate in that? I hope it will be on a 50:50 basis at least, and perhaps it should be even more, because of women's lack of entry into the nontraditional jobs and their need for retraining.

Third is an increase from \$4 million to \$12 million in the technical upgrading program designed to assist women. This one is tailored to women, but I would like to know how much of that \$12 million has been spent to date and whether the whole \$12 million is going to be spent in this fiscal year. Sometimes these figures are put in the budget but the programs to implement them and to get people into the programs do not provide the access and a barrier still remains.

Fourth is \$120 million to help those on social assistance who want to overcome welfare dependency and gain experience, employment and training. This will help women particularly, because there are a great many single-parent families, mostly headed by women, that should be helped to get off the welfare system. How much of this \$120 million is being committed and is there an adequate amount for all those who wish to avail themselves of this program? I have heard the program is running out of money in the city of Toronto and perhaps in other parts of the province.

Finally, what is the minister doing to help women get more apprenticeships? This depends, of course, on employers accepting them, but is there a definite affirmative action program on with employers to encourage them to accept more women and to make more apprenticeships available to them? The latest figures we have

seen showed the number of women apprentices was going down rather than up. They were only about five per cent of the total. Those are areas in the training field on which we want more clarification.

My third area may be one the minister has not considered as part of his mandate, but I think it very much is. This is the question of women's involvement in politics. We know there are only five women in this House at present. We know women in Ontario, as members of the Legislature, have never exceeded much more than five per cent of the total and we know the main reason is that there are a lot of barriers to women becoming both candidates and members.

The member for Windsor-Sandwich (Mr. Wrye) mentioned with pride, and I congratulate the Liberal Party on this, that the party was setting up a fund to help women with the expenses of being candidates. Of course, imitation is the sincerest form of flattery. The New Democratic Party did the same thing during the recent federal election when it set up the Agnes Macphail fund to assist women candidates. Some 40 candidates with child and household responsibilities got \$500 each out of that fund over the summer to help them with child care expenses or other expenses they incurred by being candidates. We intend to carry on such a fund at the provincial level as well.

That is just one of the barriers. I hope the directorate and the Minister responsible for Women's Issues would be starting to study how to remove the barriers to women becoming candidates and members. Until we do that, we are not using the talents of 50 per cent of the population in the legislative process. There might be a different look at some of the legislation if there were more women here.

In particular, I would like to suggest the minister might study amendments to the Municipal Elections Act in order to facilitate women moving into the municipal field. We all know this is where a great many people start their political careers. A great many women have gone into the municipal field, partly because it was not a full-time job in many cases, but without a Municipal Elections Act that limits expenditures and contributions, they are often operating in a very unequal field.

There must also be provision for tax credits for contributions to municipal election funds. This is considered acceptable at the federal and provincial levels. I do not see why it is not acceptable at the municipal level. I think the minister should be pushing the Minister of Municipal Affairs and

Housing (Mr. Bennett) or the cabinet generally, to put this into effect in order to make it possible for more women to run in areas where it costs money to run an election campaign. That includes most of the urban centres. In some of the rural centres, it does not require as much. We should have disclosure at all levels so that they also know who is calling the tune in the different municipal areas.

The second thing the minister might study is more equality in appointments to government agencies, boards and commissions. Instead of just the token woman, as we appear to be getting in many cases, we should be working towards parity on all those agencies, boards and commissions.

We should also be working for parity in the senior public service. I think we are making progress. About 32 per cent of the senior public service are women, yet we still have only a few women deputy ministers. When women move into that kind of job, they will get more familiarity with the activities of government and could be more potentially valuable as candidates.

The third area the minister should look at regarding women in politics is the question of special allowances for members who have child care responsibilities. This should apply to both men and women. Nowadays, we often find members of either sex have very heavy responsibilities for looking after the children in the family and running the home. Perhaps the person does not have a spouse or the spouse is otherwise occupied with his or her own career and therefore cannot take on the entire child care responsibility.

3:50 p.m.

I do not think she should have to take on the entire child care responsibility. Family, household and child care responsibilities should be split more or less evenly between the two parents so that women then are free to pursue the same kinds of careers as men.

Certainly in the legislative field, with the kinds of hours members are expected to keep in their legislative duties, normal child care help is practically useless. Most child care help stops at six o'clock in the evening, and I think members should be put on a basis whereby they can look after their family responsibilities and still fulfil their legislative duties. That is the third area I want the minister to look at.

The fourth one is the question of women's centres. This is another area to which I do not think he has been paying a great deal of attention.

Women's centres have sprung up all over this province. They are very valuable for providing a meeting place, a networking facility, a presence in the community, a lobby group and a support and counselling group for women with various problems and needs.

Many of them help women to know their rights and inform them about community services; many of them help women when they come into contact with the judicial system in any way. But most of these women's centres operate on a shoestring with little or no full-time staff, with second-hand and donated furniture and with inadequate premises on a back street.

I suggest that women's centres are just as important as employment counselling centres, which this government funds; they are just as important as community information centres, which this government funds. The minister should consider a study, and I hope some action shortly afterwards, of the kind of funding that might be made available to enable women's centres to be established and thrive in various centres in the province.

I might refer the minister to a leaflet that was prepared by the women and economic development committee of the Women's Decade Council of Northwestern Ontario, which operates out of Thunder Bay. It is called Women in Decision-Making, and it has some very far-reaching proposals that women must be involved in the decisions made by economic development committees at the provincial, regional and local levels because they can be affected greatly by the decisions of those committees and by the kinds of jobs that are being created for the area and whether their needs are being met by the economic planning.

This group is not concerned entirely with economic development, but it does suggest that women's centres have a role to play in meeting community needs and concerns that have often been overlooked when economic development projects have been undertaken. I will be glad to send the minister a copy of that leaflet.

I think those are the main areas in which I wanted some further enlightenment. I would like to suggest that when we get into detailed examination of the estimates, since there are really only two votes, we concentrate on vote 1 for most of the time, dealing with all the women's issues that come under the directorate, including the women's bureau and the women crown employees office, which I presume still exist although, as I mentioned, they do not appear on the organization chart; and second,

that we deal with the vote on the Ontario Status of Women Council separately.

Perhaps we could agree on reserving one sitting, or a certain amount of time, for that particular issue so we do not ignore it. I think it is very important, so I make that suggestion and hope the minister and the member for Windsor-Sandwich (Mr. Wrye) will agree to it.

Hon. Mr. Welch: Mr. Chairman, perhaps I might be permitted an opportunity to respond very quickly to some of the points made by my friends the member for Windsor-Sandwich and the member for Beaches-Woodbine (Ms. Bryden). I have listened with a great deal of interest to their representations, following which, with the permission of the committee, we might discipline our discussion on the estimates, as suggested by the member for Beaches-Woodbine, and do some time allocation, if that is agreeable to the committee.

At the outset, prior to getting to that point on the division of time, I might start a point or two short of where the member for Beaches-Woodbine left off. I was very much interested in the point being made about involvement in the decision-making process. That is where it is at and that is a very important point.

She mentions quite properly the involvement of women in the political process in particular, and she goes on to mention there are five women members of this Legislature. I am very proud that four of the five sit on this side of the House, which is some indication of our involvement there. Obviously, there is one woman in the third party, and a very capable one indeed, who has just made a representation. No doubt there will be those in the official opposition who will be quick to utilize the resources of the Margaret Campbell fund, or whatever, because there are no women in that caucus at all.

Mr. Wrye: There was until July, and there will be after December 13.

Hon. Mr. Welch: I was not making a point of that. I was simply picking up on a point made by the member for Beaches-Woodbine. Four out of five is not bad, and it is some indication that members of the Progressive Conservative Party of Ontario recognize the importance of this.

Ms. Bryden: Four out of 72.

Hon. Mr. Welch: There is a long way to go and there will be more than 72 next time, so we will have to increase those numbers.

I add to this the fact that on one of my journeys, when I was discussing the question of women's issues in the United Kingdom—I do not

know whether the member knows there is an organization there dedicated to that very point she makes. There is a nonpartisan group attempting to point out the fact that the membership of the British House of Commons shows some discrepancies with respect to the representation of women. Their whole object is to encourage all the political parties in that country to do something about that, as they feel at least half the membership of the British Parliament should be women.

I discussed with officers of that organization some of the programs they were involved in to introduce that concept to the various parties there. I was very impressed with their dedication, although they feel some frustrations with the candidate selection process. I think a message all the political parties in this province could well send to our various constituency organizations is that there should be some special emphasis on encouraging the women of those various constituencies, as capable as they are, to consider some period of time in public life, as we do.

There is also membership on municipal councils. I do not have the figures here, but it seems to me that over the last several years there has been a substantial increase in the number of women who have entered political life of this province in the municipal area, as members of council, on school boards and in other ways, and they bring a very important dimension to it.

I also want to say, although this is not in any particular order, I could not agree more with the fact that we can agree on some basic principles. I think it is wonderful that in the arrangement of estimates time, the House leaders were able to assign the amount of time they have done for the discussion of women's issues when one thinks of the competition for time that all estimates have. I think it is a healthy sign that we have this period of time to reflect on these important issues together.

Although we may not necessarily agree on the methods by which we can accomplish some of these very important goals, we should not lose sight of the fact that we are in a situation of some agreement with respect to the issues. In the name of fairness, equity and justice, we seek the same results. How we accomplish them provides an opportunity for healthy debate and open discussion. I am grateful we have this opportunity to do that together.

4 p.m.

Some points have been raised and I want to go over them very quickly; obviously, affirmative action is a very important one. We have agreed

that is so. The issue of the Toronto Star today devotes a fair amount of space to the question of affirmative action. I for one am grateful to Jackie Smith and to others who have undertaken to highlight the importance of affirmative action and have devoted the amount of time to it that they have.

May I repeat what I said several days ago in my opening address, that I have always felt we, as an employer, had some obligation to set an example, and that is what we have been attempting to do. I share the pride of my colleagues in our own record in affirmative action, particularly in what we have been able to accomplish within our own public service for women crown employees. We should also draw attention to the very strong beginning we have made outside the public service.

In response to some of the comments made about affirmative action, I might say that when it comes to the private sector I have never seen myself to be an apologist for the private sector. I want the members to know that since becoming the Minister responsible for Women's Issues, I have spent a great deal of time in dealing with chief executive officers in the private sector. With respect to their activities, I feel there is much that has not been publicized enough.

I would be the first to agree we have a long way to go. With regard to any of the companies mentioned in Jackie Smith's article and the quotations, I feel it is really up to those companies to respond to those comments, not me. I would hope they and many others would start sharing some information about their commitment to the whole question of equality of access to employment, and the equality of opportunities for advancement within employment.

As I have mentioned in my remarks, we are going to have a dinner to which my friends will be invited, where we will recognize the contribution of some leading commercial enterprises in the province in this regard, in the hope of stimulating them to commit themselves even more to at least some general principles in this regard.

I want to be very quick to point out that the employers who are on the directorate's public disclosure list are those that have indicated they were prepared to share specific measures they had undertaken to improve the status of women. Either through the women's bureau or now the directorate, we have never made any claims as a government that all of these particular companies

had rigidly defined programs with numerical goals and timetables.

I would remind the members that, although we have some specific program responsibility as employers ourselves, we have provided a consultative service as far as other employers are concerned. That particular service has functioned very well in discharging its responsibilities. We will have some indication of this not only with the 258 employers who are now known to us as having been involved with us in one form or another, but certainly I think we will see even more progress.

My honourable colleagues the member for Windsor-Sandwich and the member for Beaches-Woodbine have made reference to the 1983-84 report on The Status of Women Crown Employees. They will recall, as I am sure the Chairman will, that the 1982-83 report was tabled in December last year and the 1983-84 report is scheduled for publication at the same time this year. The figures are not yet all tabulated, but more important, they are not yet verified. Those numbers I was able to give on November 5 are really only preliminary to the publication of the final report.

They do indicate we are making progress. One area we are particularly pleased about is the movement of women into nontraditional career areas. I am sure we all share some enthusiasm about that and would like to see that movement even more quickly translated into facts and figures. We will no doubt have a chance to talk about that.

For example, we found that of the more than 1,600 accelerated career development initiatives undertaken in fiscal 1983-84, nearly 36 per cent were to train women in nontraditional occupations such as environmental technicians and systems analysts. As well, 264 women were hired or promoted in our 10 targeted areas and 67 per cent of these were non-traditional positions, the remainder being management positions.

While we tend in our response to questions in this general area to focus on the administrative module because of our success there—we are 16 years ahead of schedule and I suppose we could be permitted some latitude in drawing attention to that from time to time—we have made progress in all of our categories. We are particularly pleased by the improvement in the representation of women in scientific support, where there has been nearly a 29 per cent increase since 1977, in purchasing where there has been nearly an 18 per cent increase and in the financial module with a 13.5 per cent increase over the same period.

Obviously, we cannot be satisfied until we reach our objective, but the figures show we are moving in the right direction and that with encouragement, commitment and the enthusiasm with which we are involved in this program, we are seeing results.

I repeat that outside the Ontario public service there is no question in my mind that there is a need to expand the program. We have got to see more progress there. That is why I had meetings with these chief executive officers during the summer. I was not satisfied that we necessarily knew everything that was going on. Indeed, after discussing it with these particular individuals, I am quite convinced the private sector has some positive things to say. It is about time they started to say them.

I was encouraged a week or so ago to read that the president of the Canadian Chamber of Commerce, Mr. Hughes, was very positive in his remarks along this line, as was the construction association and some other trades associations. I have told them: "It is about time you started talking about this because there is no question in my mind that the public of Ontario is basically fair and wants people treated fairly as individuals on the basis of their competence. We have to see some action there."

As I mentioned earlier, to date we have worked with 258 employers, including the Ontario public service, crown agencies not covered by parent ministry programs, school boards, municipalities, municipal agencies, boards and commissions, universities and the private sector itself. Discussions are being held with a number of employers regarding their probable implementation of affirmative action initiatives.

I would say, for about the third time, there appears to be a need for some additional information about our consulting role outside the public service. As you know, we in the directorate do not add a name to our particular list unless there have been some specific measures undertaken aimed at increasing the occupational distribution and the general status of women.

These measures could range from hiring an affirmative action co-ordinator and setting goals and timetables, to amending personnel policies that may unintentionally discriminate against women in certain jobs and using innovative outreach recruiting methods to obtain women for nontraditional female jobs.

4:10 p.m.

Other measures might include developing lists of high-potential women employees or women

who are interested in these other types of jobs to which I made reference. I think it is important that we have this understanding, and I would appreciate your comments on it in due time.

To clarify what constitutes an affirmative action program, because as my friends will know, there are a variety of activities which can lead to equal opportunity for women employees in any given organization, we are developing within the directorate what we will call an equal employment opportunity code. We are going to ask employers to commit to this code, which will set out the precepts and the principles and indicate the activities that should be undertaken. I hope we can finish our work there and get busy outside in this larger community in the private sector to enlist the support of the employers of the province's employers with respect to these principles and activities.

I appreciate the fact that both my critics have drawn attention to the initiatives we are undertaking this year to extend affirmative action to municipalities and school boards. Within the next couple of weeks the Minister of Health (Mr. Norton) and I will be talking to the hospital boards of the province.

As stated in my opening remarks, the affirmative action incentive fund for municipalities is going to be made available for two purposes. Municipalities are going to be able to apply to the Ministry of Municipal Affairs and Housing for a grant of up to \$20,000 for this purpose. These grants would cover up to 75 per cent of the cost of hiring an affirmative action co-ordinator and of establishing and developing an affirmative action program.

As well, municipalities may apply for a one-time special grant used to cover the cost of preparing affirmative action requirements. This grant will have a maximum of \$200 a day for up to 15 working days—or \$3,000—and could be used, for example, to examine municipal policies and procedures containing any sex bias.

The program will operate with counties and regional municipalities applying for grants to administer the affirmative action program for both their own employees and for the employees of those townships, towns and cities within the county or region that employ fewer than 500 people. Those municipal organizations employing more than 500 people would apply separately. About 38 municipalities in Ontario employ more than 500 people, so that puts the division in better perspective. The Ministry of Municipal Affairs and Housing is very optimistic about this program.

The members for Windsor-Sandwich and Beaches-Woodbine were both quite correct in drawing the committee's attention to the importance of equal pay as a very significant issue for women. As already mentioned in my reply, I am quite pleased that we seem to agree on what the prominent issues are in this regard. This certainly would have to be seen as near the top, if not right at the top, of any list of priorities.

I and my colleagues on this side of the House firmly support the gains to be made through amendments contained in Bill 141. I would urge that we give this legislation speedy passage as soon as the government House leader calls it.

Mr. McClellan: What bill is this?

Hon. Mr. Welch: Bill 141.

Mr. McClellan: When will it be called?

Hon. Mr. Welch: I think we are almost on the eve of calling it, from what I understand.

Mr. McClellan: That would be so nice.

Hon. Mr. Welch: I am doing everything within my power to encourage the legislative planning group to get on with it.

Mr. McClellan: We are becoming suspicious that they are trying to kill it. We are anxious to debate it.

Hon. Mr. Welch: If that is the case, I will have a word with my House leader. I appreciate this information which has been conveyed in such a public way.

I would like to get on with Bill 141. The honourable member asked me for some information on the number of complaints laid under the equal pay program as it is now in place. In 1983-84, 114 complaints were laid under the current legislation, compared with 126 the previous year and 201 in 1981-82. There were 48 employers found in violation in 1981-82, 30 in 1982-83 and 28 in 1983-84.

During that three-year period 1,551 employees received arrears totalling \$798,231. Fully 1,371 employees received wage increases totalling \$1,190,818. We expect to step up efforts to ensure that the equal pay provisions of the Employment Standards Act will be met. I hope that act will be amended before we prorogue. We will have more to say about equal pay during the course of detailed discussion. I really hope we do because I would like to share some further views on that subject.

Child care is another area identified by all of us as a priority issue. As I said on November 5, we are seeking new solutions and partnerships to solve the problems of child care. For this reason, we are assuming a leadership role, which will

include an interministerial review on accessibility and affordability, a federal-provincial working group on child care which will focus on financing—additional funding and development of new work place child care resource centres. I am going to be meeting with them on Friday morning of this week.

I think it is important that we always keep things in perspective. As of March 31, 1982, we enjoyed a fairly significant ranking among the provinces of this country in the whole area of child care. I think it is important to remind ourselves of that. This is not to say there is not room for more improvement.

I would be the first to admit I could not have said what I did to my colleagues, the federal-provincial ministers responsible for the status of women, when they met in Niagara-on-the-Lake earlier this year and still be considered satisfied with where we are. It is obvious we have to take a new look at this. We have to see child care as it is, not as a welfare issue but an economic issue, and it is economic issues which are very important.

Mr. McClellan: When will this happen?

Hon. Mr. Welch: There is no question but this government is now taking a leadership role with respect to the interprovincial working group and our own ministry. In the speech from the throne opening the current session of the House of Commons under the dynamic new leadership in Ottawa, I noticed there will be a full parliamentary review of this matter. I am sure we can see the importance that is attached to this issue by all levels of government at the moment.

Mr. McClellan: Can I ask one question? The minister raises a very important point in talking about moving day care out of the welfare context and placing it in a manpower context.

Hon. Mr. Welch: It is an economic issue.

Mr. McClellan: Yes. The minister is recognizing that to achieve full and equal participation of women we must come to grips with a modern day care, child care policy. I have been saying this for a long time. I think the consensus on this point is starting to develop within our society.

What mechanisms is the Ontario government putting into place to study this issue and to make plans for the transfer of child care from the welfare context within the Ministry of Community and Social Services to a more appropriate ministry? Some say it should be in the Ministry of Education, and perhaps it could be located there.

I do not think it matters precisely where it is located, although the Ministry of Education does make a lot of sense. However, it certainly has to

come out of the welfare office, and subsidization on a welfare basis has to be replaced with an entirely different means of making day care available. Behind the rhetoric, which we applaud, I want to understand what concrete and precise measures this government is taking to bring about the modernization of child care in Ontario.

Hon. Mr. Welch: I think it is important not to approach this whole question of review with any presumptions about where things may move. I think my friend makes that point as well. As I indicated in my opening remarks, it has to be seen more as an economic issue than a welfare issue.

We have to realize it is not just the government's problem either, but rather it has to be seen as a total challenge to be resolved both from inside and outside government. I do not think the matter needs any more great study. What we need now and what we have now is this interministerial group that is reviewing all the material that has been collected in order that we can respond more pointedly and with more particulars to the very question the member raised.

4:20 p.m.

Mr. McClellan: Who is on the interministerial committee?

Hon. Mr. Welch: There are a number of ministries involved—the Ministry of Community and Social Services, the Ministry of Education, the Ministry of Agriculture and Food and the Ministry of Treasury and Economics. There is fairly wide representation of ministries within our government. We are chairing that committee with a view to grappling with these matters and coming forth with some specific recommendations.

Mr. McClellan: Is there a time frame?

Hon. Mr. Welch: As far as I am concerned, I hope I will have a report from our interministerial committee before the end of the year or certainly early in the new year. Then, from an interprovincial point of view, we will be working out what the federal implications of all this are because, as the member knows, there has been some question about how we might use the tax system more effectively from the standpoint of deductions that are available and whether the present arrangements under the Canada assistance plan are satisfactory. I can assure the member I feel we are finally making some progress in this matter.

Just to carry on with my response to the member's question: certainly if we are talking

about true equality for women, in my opinion economic equality is the first step. With economic equality will come social equality in many ways, and that is why the economic issues related to women are so important and have such a high priority as far as I am concerned. Many things will flow to the benefit of women once we address this whole question of women's inequality from an economic point of view, and child care has to be seen as a very important dimension to that.

Many of the proposals that Ontario made in its paper at that time will also have very beneficial results. I want to go on to talk as well about pensions; and sex stereotyping in schools, perhaps we will have a chance to go into that in a little more detail when we get into the estimates. We have talked about our open doors program and about encouraging women. If we are going to address the question of the wage gap we are going to have to encourage women to get into nontraditional occupations. Violence, of course, is another point that has been raised.

One point I did not want to overlook is that the member, in understanding the organization chart of the directorate, wonders where the women's bureau and the women crown employees office have gone. They really have not gone; they have been absorbed into the work of the directorate. As we get into it she will see that those functions are now functions of the directorate and that the budgets which members have normally voted on for the women's bureau and the women crown employees office are now included in the requests we have for funds here.

Obviously, a number of other matters have been raised, and I think they could be covered more adequately as we get into the detailed consideration of the estimates. May I suggest for the consideration of the committee that there are two votes for the office of the Deputy Premier. One is the main office, which, if the committee agreed, could be handled very quickly and got out of the way. It is the second vote, vote 402. If memory serves me correctly, that is divided into two parts, one dealing with the women's directorate and one with the advisory council. I would certainly concur with any arrangements concerning the division of time that we would agree to with respect to those two so-called subvotes within the main vote, vote 402.

My suggestion is that we could carry vote 401, then divide the time remaining for our discussion on vote 402 equally between the directorate and the council, or whatever other proportions of time, and ask the table to supervise us with

respect to that time, if that is agreeable to members of the committee.

Mr. Wrye: Mr. Chairman, I agree with moving ahead through vote 401, and I would suggest that we might reserve the last hour of our discussions for the status of women council. I think my friend the member for Beaches-Woodbine (Ms. Bryden) suggested something along the same lines. I think we could use a discussion of 45 minutes to one hour on that; and then we have the women's directorate, which is really the umbrella vote.

Ms. Bryden: Mr. Chairman, on that procedural proposal, I have looked at the time left and the time we will have left after today, which is about two hours and 40 minutes. That may be split between Friday and Monday; it often happens we do not get two hours and 40 minutes on Friday.

I was wondering whether we could do the status of women council vote in one sitting by standing down the other item—not passing it but standing it down—and doing the status of women vote starting after question period on Friday and give it an hour, if that is agreeable. Then we could go back to the main vote on all the other items. In that way we would not have that split of the status of women, half on Friday and half on Monday.

The Deputy Chairman: Have we got ourselves a general approach then? Shall we review vote 401, or are you ready to vote on vote 401?

Hon. Mr. Welch: I think we can carry vote 401 and divide the time.

On vote 401, ministry administration program; item 1, main office:

The Deputy Chairman: Shall vote 401 carry?

Ms. Bryden: Are we not dealing with all the votes under—

The Deputy Chairman: There are two votes; 402 and 401.

Ms. Bryden: Vote 401 is okay; sorry.

Vote 401 agreed to.

The Deputy Chairman: We are moving ahead.

Hon. Mr. Welch: We will spend the rest of this afternoon on the women's directorate. On Friday morning, we will go into the Ontario Status of Women Council; and in the remaining time, a week today, we will go back to the women's directorate.

On vote 402, women's issues program; item 1, Ontario women's directorate:

Mr. Wrye: Mr. Chairman, before I begin my remarks and my questions on the first aspect I want to talk to the minister about, I hope if we do finish the Ontario Status of Women Council on Friday—and I do not know that we will need an hour and 40 minutes—we can move back to the women's directorate.

I want to pick up on the minister's remarks on affirmative action and get into a number of questions on this matter in a very specific way, because I am really anxious to pin down what is going on.

First of all, in his remarks a few minutes ago the minister indicated a variety of ways a company might get on the list as being one of those among the big 900 who are complying. He suggested one way was to hire a co-ordinator and set goals, a second might be to review various personnel records and job descriptions to get rid of any sex bias and a third might be actively to seek out women to employ in nontraditional areas. Those were all possibilities.

My first question, if I could get this going, because I want to pin down what the 258 are doing, is whether any one of these three ways would qualify company X to be involved in a formal affirmative action program. What is the difference between formal and informal in the minister's mind? I have heard those terms tossed around.

Hon. Mr. Welch: Mr. Chairman, it depends on the type of employer. When we talk about employers other than the Ontario public service, we are really including some other public employers. Municipalities and school boards are in that category; so they are part of the 258. One would see a formal program being embraced by those agencies on the passage of some such resolution as the North York Board of Education made.

As far as the other employers in this group are concerned, those in the realm of the private employers whose names appear in some articles, it would vary. As far as we are concerned, they are using the facilities of the women's directorate for purposes of information. In other words, we are providing them with consultative services.

I indicated they get on our list only after we are satisfied, through one or two of the various methods to which the member has made reference, that they are serious about it; they either have hired a co-ordinator or have indicated to us they are reviewing their personnel practices to eliminate any unintentional sex bias in their employment application forms and the like. Formal and informal, to that extent, may well be

confined to the difference between the types of employers and the passage of resolutions.

4:30 p.m.

What I want to encourage and what I have been talking about to employers in the true private sector is that if we can agree on this code and certain basic principles can be seen as positive affirmative action, if they would subscribe to these, we could start having a series of presentations throughout the province at places of employment where we recognize that employer A has embraced this code or is prepared to publicly support or endorse this code and to be known as an equality of opportunity employer or an equality of access and advancement employer. There would be some type of more public display of a commitment to the general principles we will agree upon that we see as basic or essential to starting on the road to more formal types of programs, whatever they would be; and they would vary from place to place, I take it, depending on the nature of the business and so on.

Mr. Wrye: I want to follow this up. Am I to assume that the 258 out of 897 employers listed as being involved in some kind of affirmative action program are all current? Or in using the 258, are we using employers who may have been involved in an affirmative action program at some time between 1975 and today but who may no longer be actively involved? If company X got on the list in 1977, does it still have to be involved to be on the list, or does the list just accumulate with no negatives? For instance, if they got a bad president and he said, "Let us end this program real fast," would they go off the minister's list?

Hon. Mr. Welch: To respond to the question quite directly, this list is a cumulative list, and the cumulation has been going on since 1975. If the member is asking me whether there has been any system of going back to those who got on the list in 1975, 1976 and 1979 to satisfy ourselves that the reasons leading to them being on the list still exist, I would have to say no; we have been too busy dealing with people who have been obviously anxious to use our services.

The point the member makes is, how do we satisfy ourselves they are still entitled to be on the list? As far as we are concerned, we have no reason to believe that once they get on the list they are abandoning the reason or reasons that allowed them to get on it in the first place.

However, I might say I have been tremendously impressed. I sent out a number of letters to presidents and chief executive officers, saying:

"Let us have breakfast or lunch together. Here is what I want to talk about." They have come in and have agreed they have been perhaps very negligent in not sharing more information about some of these practices; it may be simply a reluctance to fill out a lot more government questionnaires or forms. They know very well that Ontario public policy is as stated; they have made it quite clear that as far as they are concerned they see it as socially positive, and from their standpoint essential that they and their operations reflect that policy.

All I say is: "That sounds fine here at breakfast, but that is not helping me in the Legislature when I stand up to answer questions from the member for Windsor-Sandwich and the member for Beaches-Woodbine as to what is going on. At the moment, you saddle me with a certain degree of confidentiality with regard to our records,"—which I will respect if that is the way we got the information—"but it would be helpful if at least your trade organizations and others started telling this story, because that is where the action is as far as the women of this province are concerned."

I have found very positive results. With this program, I hope we can see some increase in the numbers who are prepared to display this code, or whatever the emblem will be, indicating their support.

Mr. Wrye: I will get to the code in a minute; I want to put that aside, because that is where we are going in the future. I want to talk a little bit about where we have been in the past 18 months since the minister received this appointment.

For 18 months, the minister has had a lot of breakfasts and lunches—he has probably bought most of them—and, with respect, we have still not seen a great improvement in the number of those who are subscribing to an affirmative action program, which I might add is well hidden. Once they satisfy the ministry, they still do not have to be public about it. The minister just chalks them up and quietly puts their name to one side and says, "Company X is now on board, and we are at 259." He does not even have to tell us. It is worse than the numbered companies of my friend the member for Bellwoods (Mr. McClellan). In a sense, it is even better in the world of affirmative action. Nobody needs to know one's name other than the minister.

Hon. Mr. Welch: We will soon have their number.

Mr. Wrye: I am sure we will.

We went over this ground last year and I do not see that we have made a great deal of improve-

ment. I think what is most appalling about the affirmative action program and its failure to make any progress is the public sector. I am sorry we cannot deal with 1983-84 numbers for the public service in Ontario, but here I would like to talk about the figures we were given with respect to other employers, those large employers that are funded by the taxpayers of Ontario.

I will start with the hospitals, because I remember the figure there was zero out of 60. That is really quite a damning indictment. To break the numbers down, 30 per cent of the private companies have programs. They are almost running ahead of some of the pack; in fact, they are.

The figure is 46 per cent of the school boards that have programs. I would like the minister to tell us about the improvement on a one-year basis. He and the Minister of Education (Miss Stephenson) went down to one of the hotels in downtown Toronto in March 1984 and beat up on those people pretty badly. With respect to compliance, what kind of improvement have we shown since March 1984?

The figure is 37 per cent for the municipalities. That is a pretty poor statistic: three out of every eight. There are 24 or 26 municipalities caught in this area, if I am not mistaken, and I believe there are more school boards.

The figure is 44 per cent of the universities, our institutions of higher learning, or fewer than one out of two; that sounds like seven out of 15 are onside. What are we doing about the other eight?

How much longer are we going to tolerate it? I guess that is the major question. We can have a healthy disagreement about the private sector and how much government should intrude. I suppose we will probably agree to disagree in the final aspect, but I cannot understand why we are disagreeing in the public sector. The taxpayers, the women and men of Ontario, are paying for the tune, but the women of Ontario appear to be getting very little for it.

None of the 16 crown agencies which the minister has targeted has a program. There is an area when he does hold some sway. Especially as it pertains to the school boards, municipalities and those other public areas, perhaps he could go through them one at a time and tell us what is going on.

Maybe he should start with the 78 hospitals and share with us the kinds of things he and the Minister of Health hope to convince these very progressive people to do.

Hon. Mr. Welch: The message is fairly straightforward. When the Minister of Education and I went to speak to the school boards we felt we were in a position to talk about what we as an employer were able to accomplish over a 10-year period of time. I want the member to realize that affirmative action here, as far as the Ontario public service is concerned, is at that stage.

I thought the simplest way to get a message across, since we are an employer, was to show some results with respect to our own program. The least we expected them to do was match what we were doing. They were enjoying public support through their funding and they had every responsibility to do this.

4:40 p.m.

Indeed, the member for Brant-Oxford-Norfolk (Mr. Nixon) and others in this House have been very consistent in pointing out the very poor record of school boards. When one thinks about the number of women employees who are involved with the school boards in this province it is not satisfactory. There is nothing I can say that will justify the position we are in.

We went down and were very frank. We said it was about time they caught up and that certainly they should be reflecting public policy in this regard. I did the same thing as far as the municipalities were concerned with the Minister of Municipal Affairs and Housing (Mr. Bennett). Keep in mind this is just this year.

As far as school boards are concerned, I think only 19 school boards are involved in affirmative action programs at the moment. As far as municipalities and municipal agencies, boards and commissions are concerned, we have only 11. We went to the municipalities and spoke in the same way, and we intend to do the same thing with the hospitals. I think the minister and I have agreed with respect to our places on the program when we speak to them in two weeks' time.

The member will recall—perhaps he was not in the standing committee on social development—that when my colleague the Minister of Citizenship and Culture (Ms. Fish) gave her introductory remarks she talked of the necessity for affirmative action programs in the agencies for which she is responsible and that look to her and her ministry for funding as well.

This is consistent with the view that if people are getting money from the consolidated revenue fund of this province in one way or another, or from the taxpayers in their municipalities, and if the government is convinced the public of this province as a matter of social justice feels it

necessary to have these programs in place, the ministry has some obligation to reflect that.

Indeed, the standard we could talk from, or against which we could cast our remarks, was our own record. We were committed to it and this is what we were doing. We were far from satisfied with our own progress, because we had a long way to go, but there was some commitment to it.

Keep in mind that only three universities are involved in such a program and I do not think I could name a hospital at the moment that is similarly involved.

Having said that, I found when I was talking to the people in the private sector there was a lot going on, that maybe it was wrong for me to presume that since they were not on our list they were not doing anything. We just did not know what was going on. Indeed, some of them are quite incensed to think that they would not be seen as equal opportunity employers, or whatever the expression is, because they have done this for years. They shared all that information with me; and of course we did not know that.

In all fairness, it showed some incompleteness in the information we had. We now have agreement from them that, in some cases through their trade organizations so they will feel more comfortable with sharing certain information they feel is particular to that organization, they will be very open and perhaps help us. We will conduct some surveys ourselves through their trade organizations, as we can, to get perhaps a clearer and more accurate picture of what really is going on. I am talking about the private sector in the true sense of the term.

To go back to these other boards, agencies and public bodies to which the member for Windsor-Sandwich (Mr. Wrye) makes reference; he is quite right, we should be expecting far more of them. It is about time they got busy, and this is what we have been telling them. It also helps me to point out the fact that we are really not a ministry ourselves, we are not a line ministry delivering programs as such.

The women's directorate is a co-ordinating body within government. It has to look to various ministries for delivery and that is why, when we have gone to speak to the school boards about this government-wide program, we have gone with the minister responsible in each case. We have that overall government commitment to this, and the incentive funds, to which reference was made, are lodged with those ministries as well.

We have an incentive fund for the public service, which we administer, but then the incentive funds that will be made available to the

municipalities, the school boards and the hospitals will be with those ministries. I think this is the way it should be. I appreciate any program we are involved in having as many ministers as possible involved, because it really shows the united front and the common government commitment to these general policies.

In summary: it is not enough, it is too slow; and we have indicated that. I do not think the member should hold me to the 18 months, because these meetings have been held within the last few months. I certainly think it will be interesting when these estimates are next before committee of supply to note what has happened since these appearances before the larger bodies, what has happened since those times.

Mr. Wrye: Mr. Chairman, I want to pursue this. We can always say, "Let us wait until next year;" and I know, to give the minister credit, that he is impatient to see progress. I am not sure whether he is united in his impatience with some of his cabinet colleagues, who appear from time to time to be quite willing to tolerate lack of progress.

But I do not want to be taken off the track: on the school board issue, eight or nine months ago this minister and the Minister of Education went to speak to the school boards. In those eight or nine months, how many school boards have come on side and what is being done about those school boards that have not? What follow-up is being done and how much longer is the minister going to wait for them to come on side? I want to leave it at that specific group because they have had nine months to think about it, which is an awful long time.

Hon. Mr. Welch: I am advised that two have come on side since that meeting and nine are considering doing so, out of whatever the total is. I will give the member the total in a minute. That is pretty slow and certainly the minister is getting out some guidelines for them as a follow-up to that matter.

As far as school boards are concerned, in addition to the 19 we now have, we have two more, plus a further nine, considering coming on board. I am afraid I do not have the total, but we will have it before we finish.

Mr. Wrye: If I can get that figure by Friday I will come back to it. I will ask one last question for now, and then I will defer to my friend. I may want to come back and ask more questions on affirmative action, but perhaps we should have a dialogue back and forth.

This may not be my last question, but it is the last area. What is the equal employment opportu-

nity code all about? Will it demand a legislative initiative or will it be something the minister or the government will simply be able to proclaim? In a sense, this sounds very much as if the minister is embarrassed by the behind-the-curtain routine and has said: "It is about time we set up some ground rules, laid something out and let the employers fall into it. Then we can start doing it publicly."

To take it at its best possible level, a lot of employers have been doing some affirmative action for a long time. In that case, the numbers are artificially low and the minister is unnecessarily embarrassed. I am sure nobody can say they are not embarrassed by 258 out of 900. It goes without saying that is an embarrassingly low number.

Is this equal employment opportunity code the new on-board, on-side list under which the minister will be allowed to name companies and say, "Company X is on side and is involved in an affirmative action program"? Will the minister be spelling out the details of how to be an equal employment opportunity employer? When will all this begin? Perhaps the minister can start with answers to those few questions.

Hon. Mr. Welch: If I could share this with the member, there are 67 school boards in the province with 500 or more employees. We are now at 32 of the 67, broken down so 19 are now involved, two are very close to completing their work and 11 are now talking to us about it. That is 32 out of 67 boards of 500 or more. We are targeting on them because of numbers. We hope to see some further progress beyond that, but that is my understanding.

Mr. Wrye: The minister is saying 19, two and 11, but he just told me 11 are thinking about it. He is not at 32, but at 21.

Hon. Mr. Welch: Certainly 11 boards out of the 67 are far more advanced than the remaining 35 from whom we have not even heard yet. We are now at 19. I am not trying to hide any figures. We have two very close in, and we are very actively working with 11 on this matter. In actual fact, all I can tell the member right now is 19 out of the 67. Very soon, I will be able to announce 21 and I hope to add the other 11, but they are not yet at the stage where I feel I would be justified in being that precise.

4:50 p.m.

Mr. Wrye: This is my problem and I know my friends in the New Democratic Party have the same problem. We have all asked questions

about where the 258 come from. Let us deal with the 11 for a minute.

The figure I was given in the preparation for my opening remarks in estimates was that we were at, I think, 44 per cent in the school boards. This would, if my math is correct—and one of the few things I was good at in school was math—put us at 32. This tells me that, while the minister is very actively discussing this matter, he has already assumed they should be put on the list. Am I correct?

Hon. Mr. Welch: The short answer to that question is yes, we are optimistic enough with respect to the 11 that they are now included in the list.

I was really going to be very careful, though. We go back to this business between formal and informal. I can tell the member only that today, on November 19, 1984, there are 19 school boards with formal affirmative action programs. In addition, we have two plus 11 for 13 at various stages; the two are closer to the formal stage than the other 11, but the 11 are very close behind. They are all on side in this way. That list will grow from 19 to 32 on the basis of what we have been doing. I certainly hope we can do even better but, to be very open about it, that is right.

To answer the member's other question with respect to the code, the answer to most of his questions is yes. In fact, as I mentioned to him, I went to these people and said: "Look, there has to be more going on than what we have on these lists. These lists cannot be accurate."

Certainly Jackie Smith does us a great favour today in the *Toronto Star*. What affirmative action needs is more open discussion of this matter, because I think presidents and chief executive officers will finally say: "We are quite serious about this. What do you mean we are not on that list? What do you mean we are not practising these sorts of things?"

As I mentioned to you, on December 5 we will have the first of these dinners and award nights at which we are going to start sharing with the larger community the commitment we have and an invitation for people to be more publicly identified with this. Certainly to the extent that even the member for Windsor-Sandwich would have some comments about this, this is fine and I hope he will be there, because he will be invited to come if he has not already been invited.

We will simply say it is about time we had more accurate information about what is really going on. There just has to be more. My list shows 218 private sector people in addition to all these others, who are not really technically in the

Ontario public service. My goodness, many of the people I met with were not among the 218, but I was quite satisfied after meeting them that they were far along as far as equal opportunity employment was concerned, and they were not even on our list. I think that is what we are faced with.

So the answer to the member's question about the awards is yes, it will be a more public display of companies openly embracing these principles and, indeed, wanting to be known as equal-access-and-advancement employers in Ontario.

Mr. Wrye: With respect, I want to come back to the code, because I am not yet sure where we are going with this thing. When the minister tells me that, after all the tough talk by him and the minister back in March, we still have 35 large school boards—I do not think the Windsor Roman Catholic Separate School Board is one of the 35; I know the Windsor Board of Education has been involved in affirmative action for some time and I congratulate it for this—that have not yet responded in any way—in other words, and he can correct me if I am wrong, I gather they are not even sitting down with his co-ordinating people and beginning to look at an affirmative action program—then I am really quite appalled.

These are not exactly small employers; that is what really bothers me. I could understand employers with 125 employees who might still be reluctant and who might have trustees who are in the Dark Ages or whatever. But when the minister is talking about a school board with more than 500 employees, he is talking about some pretty big school boards with an awful lot of ratepayers. I do not care what school board it is; I really find these attitudes appalling. There is no other way of saying it, and I think the minister and I share that view.

The figures that came out on the lack of advancement of women in the senior managerial positions in the school board should have been enough to make any school board come on side.

The minister started with 19 and really he has only 13 out of 48. He has reached out to only about 25 per cent of that audience. He was not reaching out to my board. My board was one of the 19. Out of the 48 or so that he reached out to, one quarter have responded.

This is exactly why we on this side have been saying for some time it is about time to get real tough with them. Give them a deadline and then bring them on side. There is a lot of public support out there for the minister. His party takes lots of polls and I suggest he take one on this issue. It will probably tell him there will be lots of

support for mandatory affirmative action, at least in the public sector.

That was only by way of comment—a free editorial comment. I want to go back to the code. Are we talking about a formal code? I know it has not been announced yet, but whatever elaboration the minister could give would be useful. Is it going to be aimed at the big 900 again, or are we going to expand the role of the employers? To be an equal opportunity employer under this code, will one have to be public? Is this going to get us a whole new list so we can forget the anonymous 258?

Hon. Mr. Welch: The employment opportunities code or principles will include the basic measures needed for affirmative action. They are very basic measures and they will not be restricted to only large employers; they will be very general with respect to those principles.

I will not comment on the member's editorial comment, but he will know that in proselytizing one casts seeds and never knows over a lifetime just exactly what will germinate. Perhaps we have to allow time for some people to see the wisdom of those stands that are being taken from the lectern.

Mr. Wrye: Only nine months from conception, in some cases.

Hon. Mr. Welch: Many things may take longer to grow. However, perhaps it will be in retrospect that we will be judged.

The Minister of Education, I am told, is expecting to send out near the end of this month her guidelines on affirmative action and on the criteria for the incentive fund. That should be a further follow-up to what I thought was an outstanding speech on her part. She left no doubt in anyone's mind with respect to her commitment.

It may be that the school boards, saddled with other more immediate problems of budgets, have not got around to this matter yet. But maybe we could take this opportunity in committee of supply to remind them that we take the matter quite seriously. I am sure the minister will be saying that in her letter which goes out at the end of the month.

Ms. Bryden: I would like to go on and make some further comments on the affirmative action issue the member for Windsor-Sandwich and the minister have been discussing. I have a few further questions on that as well.

5 p.m.

First, though, I would ask the minister if he is planning to provide us before Friday with some

of the statistics I asked for in my leadoff? Those statistics would include a breakdown of the affirmative action programs in both the public and private sectors. The public sector would be broken down into municipalities, schools board, hospitals, crown corporations and other identifiable groups.

I had hoped we would get a complete list of those in the private sector that have reported they have affirmative action programs. However, if that is not possible, we would like a list of those that have consented. Does the minister conduct any sort of regular monitoring of those firms that have consented to public disclosure? Could we have an annual report on exactly what kind of affirmative action they have?

Instead of trying to toss figures back and forth across the floor, I think it would be much more sensible if the figures that were requested of a general nature on these estimates were provided to the critics beforehand, if possible, or before the next sitting. Then we would have the sort of picture we are looking for. I hope those figures would give us both the latest year and the year immediately preceding. We could then have some sense of whether there is movement in this area.

I also asked for figures on the number of complaints under the equal pay law. The minister did give us some in his reply. However, if I heard him correctly, he has lumped three years of figures together on the number of claims, awards and amounts. This does not give us any sense of movement. We do not know whether the figures are going down or up or whether the number of complainants who are receiving awards is changing.

When the government instituted an advertising program two or three years ago, we knew there was an increase in complaints and some small increase in awards. However, that was a special situation. I do not think that advertising campaign is still going on. Therefore, what we would really like is figures for the last two years on the working of the equal pay law with whatever level of public information is in effect now and whatever number of staff are involved in investigating complaints so that they are dealt with fairly quickly.

If the minister or his staff would go through my leadoff remarks, there were a considerable number of other areas where I asked for specific statistics. I would hope the two critics could have those figures before Friday morning. That is a general comment about spending a lot of time in

estimates trying to dig out individual figures and last year's figures.

Regarding affirmative action, the minister did not respond to my quotation from his May 25 interview with Jackie Smith, where he said he might look at contract compliance. This could be an intermediate step between full mandatory affirmative action and the present voluntary approach which I think is not working.

I do not think any of the figures we have had so far indicate the voluntary approach is working. Various people have worked out that it will take 1,800 years or so before we get all firms with 20 or more employees in Ontario with an affirmative action program in effect.

Contract compliance is one aspect the minister might explore. Presumably the firms concerned could include any costs in their contract, if they got one, so that the economic barrier would not be there if there is a cost in instituting affirmative action.

The minister did say he thought public sector employers who received government funds should have affirmative action programs. If we are going to have contract compliance for private employers getting government contracts, we probably should also have mandatory compliance for public bodies getting government funds of any sort. This would take us a great way along the road to mandatory affirmative action.

Ultimately, I would hope we would extend it to all employers, whether or not they have contracts from the government. At least those two steps would demonstrate to people how successful affirmative action can be.

I mentioned in my leadoff that Warner-Lambert Canada Inc., for example, has had a program in effect since 1975. I asked them if they would also take a look at their wage payment figures to see if their affirmative action program had closed the wage gap to any extent. They have certainly increased the number of women in various categories and it is close to 50:50 now in the general category of the hourly rated employees in the plant.

In 1983, 58 per cent of the employees were male and 42 per cent female. The percentage of women was much smaller in 1975. They also point out that, since 1975, females in supervisory management positions have increased by 202 per cent and supervisory management males have increased by 44 per cent, so there has been a substantial movement of women into supervisory positions as a result of their affirmative action program.

On wage comparisons, they came up with some figures showing the number of women earning more than \$12,000 and the number earning less than that salary in 1975. Then they translated the figure to \$24,700 to allow for inflation in the present year. They found there had been about a 200 per cent increase in the number of women who had moved into that higher category and about a 38 per cent increase in men, which proves some closing of the wage gap.

I would like the minister to respond to that point on affirmative action in regard to contract compliance and making it mandatory at least for the public sector.

The minister talks about urging women to get into nontraditional jobs as part of the answer to closing the wage gap. It is true that has to happen before we close the wage gap, but the minister has to look at the fact that the state of the economy now is making it very difficult to make it effective. Firms are not expanding, so there is no room in the area of nontraditional jobs for women to move into. Unless one is going to supplant present employees, and I do not think anybody is suggesting that, it is going to take a long time for women to get into the nontraditional jobs and receive higher pay for them.

That does not mean we should not be working at it in companies where there are expansion and movement, but let us not say that is an answer. There are still thousands of women in job ghettos who, with the combination of equal pay for work of equal value and affirmative action, could have more help in closing the wage gap. Let us not use the state of the economy as an excuse for saying employers do not have to try affirmative action now. There are a great many who can afford it and are simply not doing it because it is not mandatory. That is an area that should be looked at.

5:10 p.m.

I have one final point. We are still not clear about the \$260,000 that was announced as grants money for municipalities at the convention of the Association of Municipalities of Ontario last August. Is this entirely for the use of municipalities only, or is it supposed to cover all the public sector areas where incentive grants will be made available? If it covers the whole area, there is a very small amount for the municipalities, since there are a great many agencies in the entire public sector that will have to share that \$260,000.

It would appear that is all there will be for affirmative action in the public sector. The other

\$240,000 in the budget, of the total of \$500,000 mentioned in the minister's leadoff speech, is to go to all other kinds of incentive grants. These are for a great many things other than affirmative action.

Hon. Mr. Welch: Mr. Chairman, perhaps I can reverse the order of the questions. The \$260,000 to which I made reference is for municipalities.

Ms. Bryden: Are there any incentive grants for the other parts of the public sector?

Hon. Mr. Welch: We are developing the criteria for the boards of education. We did not talk about an incentive fund in any particular amount. As far as municipalities and the \$260,000 were concerned, I was very specific.

But I am working backwards. The member was talking about getting women into nontraditional occupations. She has never heard this minister say that was the whole answer to the question of closing the wage gap between men and women.

Professor Gunderson's report and others studying improvements to equal pay legislation have been very clear about this gap. However, there is no doubt that every change we make in equal pay legislation, including the change reflected in Bill 141 which is still on the order paper, does result in some closing of that gap. I am sure the member herself would join in the chorus of Professor Gunderson and all the rest who say substantial gains are ultimately going to be made as more and more women go into nontraditional jobs.

The member was quite right in pointing out that at the moment women are seen in only 20 of the 500 job classifications used in the Canadian census. They are concentrated in sales, service and clerical, and those are the low-paying jobs. It does not take much in the way of mathematics, as the member for Windsor-Sandwich would tell us, to show us how to improve the situation. It will be improved when we start moving a large percentage of women, through training programs and academic upgrading, out of those classifications and into other jobs that are seen now by many as nontraditional for women.

I would not be faithful to my mandate if I stood up and said that was the only way we are going to do it. That course is seen by many people as long-term. People who are now in sales, service, and clerical—in those 20 of the 500—ask, "What are you doing for me today?"

I agree that the future will see great gains made by moving young women into nontraditional occupations. We are working on that in a number

of ways. The training programs we have and a number of other programs being sponsored in community colleges and other places are aimed at equipping women with the skills they need to break out of some of these job ghettos. Some may be quite satisfied to be discharging responsibilities on a part-time basis. I am not attempting in any way to minimize the importance of any job. I am simply talking about the choice that is available to people who may want to improve themselves.

If the issue is closing the wage gap, there are a number of things that have to be done. There is no question that we must continue to improve equal pay legislation. There is no question in my mind that with Bill 141 we will have equal pay for work of equal value in substantially similar jobs. There is no question in my mind that we will make even more progress when we arrive at some consensus on the practical implementation of the next step, i.e., equal pay for work of equal value in what are now known as dissimilar jobs. There has been a lot of discussion and some work done on that. That will bring some closing of the gap as well.

The member for Nickel Belt (Mr. Laughren) knows the truth of what I am going to say because he is an educator. He would be the first to stand in his place, raise himself to the full height of the minister, look him right in the eye and say he knows this in his heart of hearts. He knows great progress will be made when we can say to the young women of this province: "There is nothing you cannot do if you want to. You should not be limited in any way by preconceived ideas as to what is man's role and what is woman's role."

A woman's place is where she chooses to be, where she wants to be. She can get involved in some of these others. That is where the big progress will be made. That is what we have to underline as one of many approaches.

With regard to affirmative action, I would point out to the member that she will have no problem with this minister in recognizing that the next step will be contract compliance with respect to those private companies dealing with the government in the provision of goods and services. We have to work out some of these details. I will come back to that in just a minute.

I am not prepared to abandon the voluntary approach. I am not prepared to agree with the honourable member that the voluntary approach has been a failure, for the reasons I shared with the member for Windsor-Sandwich. I am not sure we really know what is actually going on in the private sector. That was the conclusion I

came to after talking to a number of representatives from that area of business activity.

I think there is more to be done by government leadership urging both the private sector and the public sector outside the Ontario public sector that it makes good sense from many points of view to be more actively involved in programs of affirmative action.

As far as dealing with the private sector is concerned—that is, those companies that are dealing with this government in the provision of goods and services—with respect to developing the procurement policy of the government where there are a number of factors put in for consideration, it might make some sense to consider this business of filing personnel practices that would show the deliberate elimination of systemic discrimination.

However we want to do it, that would be a first step to send a signal to the private sector that in spending the taxpayers' money, we feel we should be implementing, at least in this way, public policy as we understand it. In the name of fairness and justice, people would feel it necessary for employers to have some type of program in place to ensure equal opportunity for women.

When we get into the public sector, the honourable member asked, "Could you make a distinction as far as mandatory or voluntary is concerned between the so-called private sector and the non-Ontario public service public sector?" if I can put it that way. She invites us to consider that distinction in a very interesting way and asks whether there is some method—since there are transfer payments and all sorts of other relationships that exist between these bodies and this government—to introduce a similar signal that we expect to see something or else, whatever that "or else" may mean.

The Minister of Municipal Affairs and Housing, the Minister of Education and, I hope, the Minister of Health will be introducing some type of reporting relationship as part of the information that is gathered with respect to these other public bodies. At what stage some other step could be introduced, short of the mandatory way, is what the honourable member invites us to consider.

Members will know that tomorrow we will have the benefit of Judge Abella's report on affirmative action. I have some information that would lead me to believe that will be made public tomorrow. That has been a pretty exhaustive study of affirmative action. I understand it has

gone even beyond that subject matter into some other areas.

I am looking forward to seeing those results. She was commissioned, if memory serves me correctly, to conduct a study dealing with federal crown agencies and federally incorporated companies. Anyway, whatever her mandate was, it would be a matter of fact. We will have the benefit of that study and all the hearings she has had on the subject of affirmative action and the recommendations that will be attached to the report.

We will all be interested in having a more updated public review of this whole area of affirmative action, which might help to clarify a lot of the misunderstandings that have developed because of attempts to compare what we do here with the American experience and that sort of thing.

5:20 p.m.

I have a lot of respect for Judge Abella, and I am looking forward to having the benefit of that report. I can assure members that we in the ministry will read it with a great deal of interest. We will all have the benefit of those recommendations.

In summary, the member for Beaches-Woodbine raises three points. The first deals with the municipal incentive fund. The second is her caution that we not put all our eggs in the basket of moving people out into the non-traditional jobs and ignoring the immediate problems. The third deals with the whole question of affirmative action as it might more meaningfully include some type of contract compliance. She also mentions finding some similar way to send a signal to the public groups that are not part of the Ontario public service that we really mean business and finding some ways to tighten up on that. I have attempted to respond to her questions in this way.

Ms. Bryden: I appreciate the minister's comments on all those areas. I think they are somewhat enlightening.

Maybe we should look at the private sector again for a minute. The article by Jackie Smith in today's Toronto Star dealing with the question of affirmative action quotes Ms. Winter of Hay Associates Canada Ltd., management consultants, and states: "Winter says much of the inactivity among Ontario companies can be blamed on government's failure to provide businesses with the assistance they need to introduce effective programs."

There also appears to be a need for some incentives in the public field. I do not think

simply the statement of principles the minister is talking about is going to get them going. Presumably mandatory legislation would, but I agree they will also need some very definite assistance in working out targets, timetables and techniques. It has been found that affirmative action requires work on the part of both management and workers, joint committees, to set it up.

The government could give some leadership in working out affirmative action programs through joint committees within the public sector to show how it can be done as well as by providing more consultative services to the private sector.

Hon. Mr. Welch: I saw that particular quote in the article. That is a quotation from someone who really believes that, and I am not prepared to take exception to it, if that is what the lady really feels is necessary; but I do not agree. In all the interviews I had this past summer with chief executive officers, there was not one person who indicated in any way that financial resources were needed from the government to implement these programs.

I point out that we do have other resources. Let us take a look at them. We have a consulting service within the women's directorate. There is not an employer in the province that a simple telephone call would not put in touch with us. We can share the experience of some very dedicated people and work with them. In fact, it was mentioned to me in meetings with chief executive officers that those companies with such a program currently in operation would be pleased to work with other representatives in the private sector and share their experience.

By the way, I should have apologized because more detailed information has not been made available; I had thought it would be and it will be. I have these figures, but there is no sense reading them all into the record. We will send the member a memo that will be a little more helpful.

Not only can we provide a consulting service, but also with the permission of others who are involved—and we do have permission—there are those who have indicated to us that they are prepared to be involved in some type of system of helping others and that we could also act as the broker, so to speak, to bring these people together.

In addition, there are training programs available through the various educational institutions, particularly in the post-secondary field. There has been a substantial amount of public money available for training programs. I am sure, community by community, the colleges of

applied arts and technology were advised of particular needs in so far as corporate citizens in any other areas were concerned, and no doubt they will be prepared to respond as far as some of those programs are concerned.

I remind the member that one of the great problems I have had is convincing people that although these training programs are fine, some of the women of this province need help with basic academic upgrading so they can take advantage of the training programs. There is some inequality in attempting simply to say that these programs are available when you know that people cannot take advantage of them if they are deficient in one subject or another. They have to be encouraged with respect to these subjects. We then get back into this whole idea of the number of careers that women are closing off to themselves because they have abandoned the sciences and the maths too early in their academic career and so on.

However, not to get off the particular point raised by the member, there are training programs, and a tremendous amount of literature, film strips and all sorts of things are made available. Here again, in raising the question, the member points out perhaps one of the great deficiencies we have of making it known that this material, these resources and these people are available. This is, I think, one of the benefits of the consultations we have had in the last few months.

Let me say in response to and in support of what both the member for Beaches-Woodbine and the member for Windsor-Sandwich have said that we must see more progress in this area. There is no doubt in my mind that this is where the public is at in its thinking and as far as basic fairness is involved, and we have to get busy on it.

I think we are in a much stronger position in this political jurisdiction known as Ontario because, having recognized this need some 10 years ago as employers ourselves, we are now able to go out and talk about it and not face a lot of people saying, "I cannot hear what you are saying because of what you are not doing." We are in a position of doing things, and we are ahead of the private sector in many cases. That is a position we should build on and capitalize on, and indeed we should follow some of the suggestions which the member has correctly made.

This is not to overlook the other matter, which is somewhat similar to what I said about sharing the experience of others, and that is the networks

that are available. In fact, I am just reminded that I spoke to the Personnel Association of Ontario a few months ago. I thought that was a good group upon which to make an impression with respect to that. It struck me that most of its members are male and that it was important to indicate to them that this was fairly essential as well.

Ms. Bryden: The minister mentioned the need for training and the training programs that are being provided. I did ask specifically in my comments in the earlier part of the afternoon for a breakdown of the figures in the budget regarding training initiatives. I hope we can have those, as well the other figures, by Friday.

Hon. Mr. Welch: Yes, I meant to comment on that. I am glad the member has mentioned it, because that is some information we have to get from other ministries. But just to be clear, it would be very interesting to find out now the breakdown of the number of women and the number of men who have taken advantage of the training programs announced some months ago, and I would be very happy to get that information when it is available.

Ms. Bryden: That is all I have on affirmative action; so perhaps we can go on to another topic.

Mr. Wrye: I think we probably should stay with the economic issues. I will move to equal pay now. I am not going to make another speech on equal pay; we will have an opportunity to continue discussing it when Bill 141 comes forward.

Let me start out by reviewing with the minister and questioning him on the figures he provided this afternoon on equal pay. They certainly were not provided in his opening statement, which, as I pointed out, managed to avoid that topic entirely.

5:30 p.m.

The figures lead me to be a little bit concerned, and I would like to get his comments right off the top. Unless I had the figures marked down incorrectly, during the past three years the number of equal pay complaints has dropped steadily from 201 to 126 to 114 in 1983-84, and the number of successful complaints has dropped from 48 to 30 to 28.

Has the minister raised the matter with his colleague the Minister of Labour (Mr. Ramsay) to find out why these numbers are dropping? Is it just that everybody is in compliance, or are they not being picked up through investigations by employment standards officers?

I see my friend the member for Brantford (Mr. Gillies), which reminds me that during the

employment standards debate back in the spring, he made mention of the announcement that additional employment standards officers would be hired. Do we have those new employment standards officers in place? My friend can correct me, but I believe six or eight were to be added. What is the status of that, and if the minister does not know, could he check?

Hon. Mr. Welch: The member for Beaches-Woodbine raised that question as well, and it would be helpful if we got these figures and then talked about what some of the reasons may be.

In 1981-82, as the member mentioned, the number of complaints laid was 201; in 1982-83, it was 126, and in 1983-84, 114. I take it they were new complaints, because I have other figures about cases completed; so there must have been some carryover from other years. The number of employers who were found to be in violation would be the important one. There were 48 employers found to be in violation in 1981-82, 30 in 1982-83 and 28 in 1983-84. Then there is the whole question of the arrears that were collected and the wage increases.

It seems to me that in a briefing I had a few months ago with respect to the equal pay legislation, I was told the Ministry of Labour, which has the responsibility under the Employment Standards Act and through the women's bureau, conducted quite an advertising campaign in 1980 to promote the whole question of equal pay. It was carried out all across the province and was one of these special programs designed to draw equal pay to the attention of the employees of the province.

Keep in mind that we have had equal pay legislation in Ontario since 1951. My predecessor as the member for Lincoln, who was then the Minister of Labour, the Honourable Charles Daley, brought in equal pay legislation in 1951. We have seen changes; it was called the Female Employees Fair Remuneration Act at that time and was later embodied in the Employment Standards Act.

If memory serves me correctly, it was because there seemed to be a decline that people felt the amendments at that time perhaps needed some more publicity. There was quite a public relations campaign. Notwithstanding that, I am told, it resulted in very few new complaints of any significant number.

With the passage of Bill 141, it may become necessary to do that again; I do not know. As to what conclusions one draws from it, the member knows that at one time it may have been necessary for the aggrieved employee actually to

lay a complaint. That is not the case now; the employment standards inspectors are able to do that themselves, which was an improvement when that was introduced.

I am advised the Ministry of Labour is hiring five additional employment standards officers to enforce equal pay laws. Whether they are now in place, I do not know, but I can check that for the honourable member.

In summary, the important question is this: There were attempts made just a few years ago to do something for wider circulation of what the law and regulations were, but notwithstanding that, the number of violations reported has levelled off. I repeat, whether we need some further promotion in that regard is something the member as well as others may have some views on.

Mr. Wrye: I hope the five officers have been hired.

Hon. Mr. Welch: I will check that.

Mr. Wrye: If they have not—and I appreciate the minister will check—a cynic might suggest the government is waiting to get the new bill in, and then it will hire them and run around making the numbers look good for a little while. That is what a cynic would suggest; so I will not.

Hon. Mr. Welch: But the honourable member would not be upset if we were seen to be even more aggressive in this area?

Mr. Wrye: No. The honourable member would appreciate it if we would get on with the job and get the five people hired, because we have exactly two employment standards officers to handle all of Windsor-Essex and, I think, Kent county. It is a disgracefully low number. They are good people, but they cannot possibly do the job.

The problem, as the minister knows, is that those employment standards officers handle everything from plant closures to very complicated receiverships to employers who literally walk away. What I found in working with these individuals was that they can get a case involving a handful of workers and just spend hour after hour literally trying to track down the employer in some cases.

I hope they have been hired. As I said, my friend the member for Brantford is here, and I am sure the minister will get an answer and my friend from Brantford can perhaps pass the message on. We on this side are wishing that the promises made in the spring of 1984 would come to pass by late fall.

Hon. Mr. Welch: I feel quite confident that the competent and qualified parliamentary assistant to the Minister of Labour, who has listened to every word the member has said, will have that information for us—who knows, even before 6 p.m.

Mr. Wrye: Perhaps he could give names by 6 p.m.

I want to go back to the numbers. The minister said the key number was that of those people found in violation. With respect, I disagree. I think the key number is the other 86 who were not. The reason I say that is the key number is that it raises the question of why they were not in violation.

Since we are dealing with equal pay, how many out of the 86 in 1983-84, how many of the 96 in 1982-83 and how many of the 153 in 1981-82 would have been in violation under the composite test?

Hon. Mr. Welch: I am grateful the member has raised this now, because we can both speculate. It seems to me in that same briefing I had with respect to Bill 141 that those who are in charge of this program mentioned on more than one occasion that it was the very rigid test in the present law which resulted in their lack of success in so far as some of these cases were concerned.

I point out to members of the committee that at the present time there is a four-point test. In other words, if the member for Beaches-Woodbine and I were in the same employment and we were doing the same jobs and this was reported, to be successful she would have to be able to show the equality or whatever you want to call it of the job on four grounds dealing with skill, effort, responsibility and working conditions. If she were unsuccessful in proving her point in any one of those then the whole thing would go out.

Bill 141 eliminates the necessity of making that comparison strictly on each of those four points. It has a point system whereby one would do it on a composite or collective basis so that although she might be a point or two short on effort, she could pick it up on responsibility or working conditions or skill, as the case may be. That is exactly what we want to do with Bill 141.

If I were to speculate, and I want to be very careful to say I have no factual basis for this, I would venture to guess that a good many of the 86 cases—let us talk about 1983-84—were not successful because of the very inflexible, if not rigid, four-point approach which we are trying to eliminate.

5:40 p.m.

An interesting piece of research would be to find out by how many we would have increased the 28 if Bill 141 had been in operation, which is the point the member makes. The extent that it might be possible to do that would be an interesting piece of information. By how many could we have improved that result simply by having the composite test in place? I cannot tell the member that today.

Mr. Wrye: The people on the government side of the House who have been charged with the responsibility during this time from the early 1980s to the mid-1980s—we hope not beyond—of governing the province have all sorts of assets at their disposal. It is the people on the government side of the House, with respect, who have said time and time again that this composite test means something.

I thought the minister was going to give some figures. Quite frankly, I was prepared to hear that two thirds of those cases had been adjudicated in favour of the grievor or the ministry, if the ministry were the grievor, had Bill 141 been in place. That was because I suspected that most complaints would have been laid and lodged in areas where people actually felt they were getting equal pay for equal work, that they were in the same employment area.

I do not think there is any question that those of us on this side, certainly in this party—I cannot speak for my friends in the New Democratic Party—understand that the composite test will allow the government to end the wriggling off the hook, as it were, that some employers have managed to do successfully. There is no doubt about that, even if it worked in 86 out of 86 cases. Obviously, we are happy with a certain amount of improvement.

By way of follow-up to the minister, the government for months has been telling us this bill means something. Surely, somebody has taken the 153 cases that are now three years old and asked under the composite test why that work has not been done. Surely the composite test was brought in for a reason and this kind of statistic would provide us with that reason.

Would the minister recommend to his colleagues that they get on with the job and come in and report to this House? I do not think Bill 141 is going to pass next week. Perhaps if we could have that figure, it might impress us so much we might want to pass it in an hour or half an hour.

Hon. Mr. Welch: The member has raised a reasonable point. It seems to me we have that information. I am only mentioning the fact that I

cannot produce it at the moment. Certainly, I feel quite confident we would have shown better figures with the composite test. I am encouraged to feel that, when I do come back and I can establish that, we will have passage of that bill within five to seven minutes, simply on the basis of the production of that evidence which the member quite rightly indicates is very important.

The important thing I mention once again is that there is no question—that I do not have to be sold—that I am committed to this whole concept of equal pay for equal jobs. I used that language very carefully—think about it—“equal pay for equal jobs.” It may be that we are getting hung up on both sides of this argument—not the member, not the people who understand it—on this whole business of comparable worth.

That is going to be the subject of litigation in Washington state. Although the lawyers were successful in the first round in the state of Washington with respect to that legislation, it is going to be appealed. If the member has been watching that, the governor and others are building up quite a case and getting involved in all the cost implications and so on. We hear about other jurisdictions and no doubt before we finish the discussion on this, we are going to have an opportunity to really go into that matter to see whether we are talking about equal pay for work of equal value in dissimilar jobs or in substantially similar jobs.

Even in the composite test, even in Bill 141, there has to be a certain degree of subjectivity brought to bear on the situation. As soon as we leave anything to a subjective approach, then we get into some problems, because everyone wants to know what the rules are by which we have to come to the conclusion. No doubt that is why everybody for so long has hung on to the four-step test, and we know some of the abuses that have resulted.

The example that was given to me to support this—and I say this to the member for Beaches-Woodbine and others—was that apparently right now it is quite possible for the member for Beaches-Woodbine and me to be working in a factory on sewing machines. We each have a sewing machine and we are working with material. If it happened that my sewing machine was a bit bigger and I was working on heavier material, that would be enough to justify paying the member for Beaches-Woodbine less than me.

That sounds silly to me, just on the basis of the fact we are doing a substantially similar job—we are working with material, using a sewing machine and certain skills are involved. When I

was being briefed to understand all this, this was the thing to start eliminating in order to make some progress in this whole concept of equal pay for equal jobs.

Now we are getting involved in all kinds of other vocabulary involving the whole concept of measuring comparable worth. There are very dedicated people who are quite satisfied we have arrived at the point now where we can make those measurements and there are objective ways of doing it.

If members watched the presentation in Washington as to the steps that are taken, which I did, obviously they were successful in making that point in round 1. We will see what happens on appeal. It is interesting to follow other jurisdictions as to how successful they have been in applying the principle which we have endorsed in this Legislature. Let us not overlook that.

The debate now goes on with the rate and the method of implementation, about which many of us feel more discussion would be helpful in order to proceed. In summary, I do agree with the member. I will consult with the Ministry of Labour people to see exactly to what extent it is possible to apply Bill 141 to the situations which were not successful and to see how many of them would be successful.

Mr. Wrye: I would like one last question on equal pay for work of equal value and then I will defer to my colleague. I do not want to fight the issue again here. However, I want to raise a fundamental concern with the minister and I will appreciate hearing his response.

No one on this side and no one out there would suggest the composite test which is provided for in Bill 141 is not going to bring about some improvement. I think the best guess is an additional one to two per cent narrowing of the gap, although it could be larger or smaller. We simply do not know; that is a best guess.

We on this side have a concern and it is out there in the public. The minister knows it. There is a comment in Rosemary Speirs's column from Mary Cornish of the Equal Pay Coalition. The concern is this will bring things to a screeching halt for the next 10 years. People will say, “You got equal value, but you did not get equal value in dissimilar jobs.” Then we will get into a new semantic argument.

Has the minister been urging upon the Minister of Labour, or will he urge upon him, to get us off dead centre and give people out there the view that this government is really prepared to move and that it really honestly feels more study is needed of the wider implications?

I certainly do not say comfortably this implementation of equal value legislation would be an overnight snap. It has not been in Quebec or Ottawa and I would concede it probably would not be in Queen's Park. However, the fear is the pressure for equal value legislation will go away on to the back burner with the passage of Bill 141.

Has the minister looked at some compromise which would have implementation of Bill 141 in some kind of pilot program on equal value legislation in this province? The minister talks about principles. As did 86 of us, he stood in his place and voted for the principle. Can we start getting beyond the principle?

I am not saying it would be what we, on this side, would do. We are not the government today. We may be somewhere next year; we may not be. We can debate that on the hustings. However, as long as the members opposite are the government, surely they must understand it is not good enough to say, "I stood in my place on October 20, 1983, and voted for a principle."

What has the government done for us lately? What is it prepared to do on November 19, 1984, to move that principle a step forward, to say it was more than a bunch of words it voted for; that it is willing to start in a pilot way or in a test way to implement the principle? With respect, the resolution said "implement." It was not just that we believed in the principle; we believed it should be implemented.

5:50 p.m.

One year and one month later, almost to the day, we have not started to implement anything. We are still back at square one in terms of the principle unless we are going to pretend that Bill 141 implements the principle we voted for and, with respect, that was not the principle I voted for on October 20.

Hon. Mr. Welch: The honourable member makes a valuable point, but I think in all fairness—and I want to take a minute for this—that Bill 141 does take a step in implementing the principle. If there are some procedures here that do stand in the way of equal pay for equal jobs, as they relate to the present legislation, and if we can eliminate them by the composite test, then I think that puts us in position.

I do not think we can say today, with the law as it is on November 19, that we have equal pay for work of equal value even in substantially similar jobs, as long as we have this four-point test. So I agree with the member. Whether it is one or two per cent or whatever it is, we will know once we get busy on the enforcement.

But we do take a step in the implementation of the principle. We are talking about substantially similar jobs. I voted for the principle; I do not have to be convinced of the principle. I am impressed by people who ask: "How are you going to make sure there is a certain objectivity in this? What is your method of measurement?" When I talk to people about that, they keep drawing my attention to the government of Canada and the government of Quebec. They say, "They are doing it." I say, "Give me one example from Quebec of equal pay for work of equal value for dissimilar jobs?" I say that today in this committee. I have been waiting ever since.

Mr. McClellan: What will you do when we give you the evidence?

Hon. Mr. Welch: There is not one example that I have—and the member for Bellwoods, if he has one, will share it with me by nine o'clock tomorrow morning—of something that has happened in Quebec, which is always being given to me as the great example, of equal pay for work of equal value in what are considered to be dissimilar jobs.

Members are not listening to somebody who is not anxious to have that example. I am anxious to have it, because it helps me with the very point the member mentioned.

Mr. McClellan: What will you do if we give it to you?

Hon. Mr. Welch: Just give me the evidence. These estimates are on until a week tonight.

Mr. McClellan: Will you read it?

Hon. Mr. Welch: I am serious. I am asking for an example.

Mr. McClellan: What will you do if we give it to you?

Hon. Mr. Welch: Big surprise in store.

Seriously, I have heard since these estimates started that Quebec has it. Suppose Ontario passed a resolution? But we do not really have comparable worth worked into a situation for dissimilar jobs. We do not even have it for substantially similar jobs at the moment because Bill 141 has not been passed.

The next question is, how can we be helpful in this debate by providing the type of example you need. That was one way I was going at it, saying to people who were coming in to talk to me about it: "Give me some example to go on." There was a group in Ottawa, the general service group and there is an element of similarity in those jobs too, I think; but, on the other hand, if that is the example, maybe we need more opportunity to work with some groups to see how it goes.

Mr. McClellan: Let me get those examples for you.

Hon. Mr. Welch: I am not going to hold my breath. There is not one example from Quebec, which is always being used as the example of equal pay for work of equal value for dissimilar jobs.

Mr. McClellan: I think you are wrong.

Hon. Mr. Welch: I hope I am wrong.

The government of Canada, I understand, does have some equal value examples as a result of its legislation, and the general services category did do this. To go back to the point—

Mr. McClellan: I think you would rather be wrong.

Hon. Mr. Welch: Mr. Chairman, the member for Bellwoods is interjecting in a very serious debate.

Mr. Chairman: That is a good point; we all agree.

Hon. Mr. Welch: He is so tuckered out from leading the questions for his party today that I guess he is looking for an early adjournment. He wants his dinner.

I do not overlook the point made by the member for Windsor-Sandwich. That is why we have felt, in so far as the next stage is concerned, that it would be helpful if we had more public discussion to provide some opportunity for those who will be affected by the legislation to better understand the methods by which it is going to be implemented. I agree with the member that perhaps some statement would be helpful.

Members should remember what I said to the member for Bellwoods: on Friday I am going to have the examples from Quebec. I am not going to hold my breath but am I ever going to be excited when these estimates start on Friday and I have the examples.

Mr. McClellan: You will be thrilled to be proven wrong.

Hon. Mr. Welch: I did not say I was wrong or right.

Mr. McClellan: You said you would be thrilled to be proven wrong.

Hon. Mr. Welch: Absolutely.

Ms. Bryden: Mr. Chairman, I read into the record, from an earlier debate this session, several examples from Quebec. I have a report from the research department of the Quebec Human Rights Commission which shows half a dozen examples where equal value was the yardstick used, not equal work. There have been awards. I will bring those to the next sitting of

this committee. I am surprised the minister did not read my previous speech in which I cited a number of these examples.

I do not know whether the member for Windsor-Sandwich has finished. I have some comments on equal pay for work of equal value. We do not have very much time. I do not think I will be able to ask all my questions before we adjourn.

I would like to remind the minister that he did vote for the principle last fall, but he says he is hung up on this. He still favours equal pay only for substantially similar work. That is the crux of the argument in Bill 141. I would think it might clarify the situation on Bill 141 if the government would separate the pregnancy and adoption leave clauses and let us deal with those. Then I think they should withdraw the part of the bill relating to their composite test. It does not answer the question of what they are going to do with women in the job ghettos.

Hundreds of thousands of women are in jobs where there is no similar job to compare with; therefore they are being underpaid when their jobs are evaluated. It looks to me as if the minister is just trying to protect the interests of the business community and not the interests of the women of Ontario. Professor Gunderson has said it might cost \$1 billion to \$3 billion, which means that women are subsidizing employers to that extent. Unfortunately, it would not be done overnight, even if we did adopt equal pay for work of equal value.

Hon. Mr. Welch: As a matter of interest, so we do not lose this point before we rise tonight, I would like to hear her argument why, at this stage, the member would want to deny the women of Ontario at least the benefits that exist in Bill 141. Why would she say they are not to have this at all unless we do something else? Why would the member not pass Bill 141 and give the women at least that benefit and let us continue to look for some ways to take the next step?

Ms. Bryden: We know how long the next step takes. It has taken five years for this bill to come in.

Hon. Mr. Welch: Why would the member deny them? I cannot understand her.

Mr. McClellan: The bill has not even been called.

Hon. Mr. Welch: That could be corrected.

Ms. Bryden: It being 6 p.m., I will hold the rest of my comments until the next sitting.

On motion by Hon. Mr. Welch, the committee of supply reported a certain resolution and progress.

The House adjourned at 6 p.m.

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Hansard

Official Report of Debates

Legislative Assembly of Ontario



Fourth Session, 32nd Parliament

Tuesday, November 20, 1984

Afternoon Sitting

Speaker: Honourable John M. Turner

Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday, November 20, 1984

The House met at 2 p.m.

Prayers.

BIRTH OF MEMBER'S CHILD

Mr. McClellan: Mr. Speaker, on a point of privilege: I am sure that you and my colleagues in the House will want to join me in congratulating the member for York South (Mr. Rae) on the arrival of his third child, Eleanor Grace, some time yesterday afternoon.

Mr. Peterson: Mr. Speaker, we are very much in favour of that kind of activity. I would like to add our note of congratulations, and as much as we dislike seeing another socialist born, we are very happy in this particular instance for the leader of the New Democratic Party. I know what a great joy she will add to the already happy household.

If he needs any advice on how to raise his offspring, I will be happy to volunteer at any time. I hope that this new child will follow the political leadership of her uncle John as opposed to that of her father and that she will find the true way.

Mr. Speaker: Is the member for York South going to distribute cigars?

Mr. Rae: Mr. Speaker, baby Eleanor was born at precisely two o'clock yesterday afternoon, just as the House was convening. I thought that was an appropriate omen of some kind. Mother and daughter are doing well, and father is surviving well too. I thank the members for their good wishes.

I do have some cigars. In fact, I will give one to the Speaker as long as he promises to recognize me today. I have one for the leader of the Liberal Party. I was going to provide one for every member of his caucus, but I was not sure how many there would be; so I just have the one here.

I have a very nice letter from the Premier (Mr. Davis). I might say that even in congratulations he is convoluted, but I do want to thank him very kindly for the congratulations. I know he is unable to be here today for reasons that I am sure he will explain at some point. He says, "Please tell Arlene how happy we both were to hear the

good news, and I will, of course, look forward to receiving a cigar in due course."

I want the Premier to know that I have his cigar here, and perhaps I could give it to one of his illustrious would-be successors. I was going to say I would give it to him the next time he comes into the House, but the problem with that is that it will be too dry to smoke if we wait that long. So I will give it to the Minister of Industry and Trade (Mr. F. S. Miller). I know he sees the Premier regularly, obviously consulting on matters of policy. I hope he will pass it along to the Premier and not smoke it himself.

[Later]

Hon. F. S. Miller: Mr. Speaker, I would like to thank the leader of the New Democratic Party for a cigar made in number one factory, or is it factory number one grade? I have never had a first cigar before; I have always had to buy seconds, so I appreciate the quality of this one.

Interjections.

Hon. F. S. Miller: It smells good. The Premier will never see it; I will admit it now that I have it.

VISITOR

Mr. Rae: Mr. Speaker, I know the member for Niagara Falls (Mr. Kerrio) is complaining about not getting a cigar, but before I give him one, I wonder if I could introduce to the House, with the permission of all members, a very distinguished former member of this Legislature who is now a member of the House of Commons. I am referring, of course, to Mr. Iain Angus, the member of Parliament for Thunder Bay-Atikokan.

Mr. Kerrio: Mr. Speaker, on a point of personal privilege: The leader of the New Democratic Party offered one cigar to our caucus and, in true socialist form, decided we would all take a puff from it.

Hon. Mr. Gregory: Mr. Speaker, before beginning my statement I would like to add my congratulations to the leader of the third party on his third child. I hope he will convey to his wife our best wishes from this side of the House.

STATEMENTS BY THE MINISTRY

CONDOMINIUM CO-OPERATIVE ASSESSMENTS

Hon. Mr. Gregory: Mr. Speaker, today I would like to make an announcement regarding the assessment of condominium and co-operative housing units.

As honourable members know, the subject of condominium and co-operative property assessment has been a contentious issue. This could not have been effectively resolved until clarification was received from a comprehensive judicial review. That review has culminated in a decision of the Divisional Court in Peel Condominium Number 57 et al versus the regional assessment commissioner for Halton-Peel.

In response to this decision of the Divisional Court, property assessors throughout Ontario are now making adjustments to the assessments of condominium and co-operative units. These adjusted assessments will ensure that condominiums and co-operatives are assessed at the same general level of assessment to 1984 market value as that of owner-occupied residential properties.

These adjusted condominium and co-operative assessments will be reflected in all 1984 assessment rolls. In this regard, every condominium and co-operative unit owner will receive a notice of assessment even though some assessments may remain unchanged as a result of the adjustment process. Accompanying each mailed notice will be an information insert that describes the reasons for the assessment adjustment together with the location, dates and times of open-house information sessions held to answer any assessment-related questions.

In this way my ministry will have fully complied with the instructions of the Divisional Court and will have brought the assessments of condominium and co-operative units in line with those of owner-occupied residential properties.

2:10 p.m.

ENTERPRISE GROWTH FUND

Hon. F. S. Miller: Mr. Speaker, in his budget of May 15 my colleague the Treasurer (Mr. Grossman) announced the creation of the \$10-million, three-year enterprise growth fund under the auspices of the Board of Industrial Leadership and Development. This fund was established to support three initiatives: (1) enterprise centres, (2) innovation centres and (3) corporate spinoffs.

On behalf of BILD, I am pleased to announce today the implementation of all three programs. BILD has approved three specific enterprise centre sites proposed by two very distinct groups. A private sector firm, The Innovation and Entrepreneurial Management Corp., known as TIEM, intends to establish two centres, one in Scarborough and one in St. Catharines. These will provide management advice and pre-startup services critical to the success of a new business.

The third enterprise centre will be established under the auspices of Confederation College in Thunder Bay. This centre will work on an extension basis and will deliver expert advice and counsel to small businesses in the communities of northwestern Ontario.

BILD is prepared to support up to seven enterprise centres on a cost-shared basis over three years. We expect these centres will demonstrate immediate and substantial benefit to small businesses, a commitment to professional management, a responsiveness to local conditions and active community involvement.

We are now examining a number of other proposals and understand several municipalities in Ontario are considering the sponsorship of additional centres.

We have completed the research and consultative process on our second initiative, which will lead us to the launching of as many as 10 innovation centres across Ontario. The innovation centre concept has become a popular tool in assisting universities and colleges to link the marketplace with the academic community.

It is our intent that the focus of such centres in Ontario will be on the commercialization of products, processes and services, while allowing the maximum flexibility for post-secondary institutions and the private sector to develop projects that are commercially successful and meet the long-term strategic needs of industry.

The innovation centres will provide business counselling to students and faculty using such techniques as business planning, prospectus preparation, brokerage between the client and private sector and marketing assistance. Innovation centres will be established on a cost-shared basis, with my ministry providing up to \$300,000 per centre for three years.

The third initiative under the enterprise growth fund concerns corporate spinoffs. The increasing competitiveness of the world economy in recent years has had a heavy impact on Ontario's traditional large and middle-sized employers. In their efforts to adapt, many of these firms have undertaken significant plant and product rational-

izations, including divestitures. Fortunately, at the same time, an increasing number of individuals are showing an interest in entrepreneurship as a career option. This growth is reflected in the rising number of small business registrations, up to 45,000 in Ontario alone this year.

These twin trends present us with an opportunity to help ease the transition for larger firms while simultaneously encouraging creative entrepreneurial activity. Our initiative will provide up to 50 per cent of the cost, to a maximum of \$15,000, of preparing business proposals for viable corporate spinoffs.

In a typical case, an evaluation would be made of the potential for spinning off some in-house activity from a large firm to a new business operated by current employees or to another local firm. The plan would address the proposed venture's prospects for success and the negotiation and securing of financing from the private sector. The divesting firm will be expected to provide support, which might include direct investment, a mortgage, plant space, equipment, technical knowhow, support services or sales guarantees.

This program is intended to run for three years with an estimated budget annually of \$500,000 from the Board of Industrial Leadership and Development. It will be administered by my ministry, whose 18 field offices throughout the province will be the primary point of contact for assistance.

Clearly, these new programs will help serve the pressing needs of three distinct classes of business: the entrepreneur seeking to organize a new business; the commercialization of post-secondary research and development; and the establishment of new business by employees interested in corporate spinoffs. Since most employment growth in the province is occurring in the small business sector, I expect the end result of these new programs will be more jobs in the province.

AGREEMENT FOR TOURISM DEVELOPMENT

Hon. Mr. Baetz: Mr. Speaker, I am pleased to announce that earlier today I took part in the signing of the new Canada-Ontario subsidiary agreement for tourism development. Also signing the agreement were my colleagues the Treasurer (Mr. Grossman), the Minister of Intergovernmental Affairs (Mr. Wells) and the Honourable Tom McMillan, federal Minister of State for Tourism.

The new, \$44-million program will be split 50:50 by the provincial and the federal governments and will apply to all regions of Ontario except Metro Toronto. This is the first federal-provincial development agreement drafted exclusively for tourism in Ontario. Through this agreement, substantial assistance will flow to the provincial tourism industry over the next five years.

This agreement is an important step in solidifying federal-provincial relations in the tourism sector. As a result of this co-operation, the tourism industry in Ontario stands to benefit substantially.

The major priority of the new program will be the establishment of new and the development of existing major year-round destination resorts and attractions. Projects that attract Americans and other visitors will receive particular attention. This segment of the program will account for \$38 million of the \$44 million available. The remaining \$6 million will be allocated for planning and feasibility studies, marketing and visitor services. The funds will be made available through repayable and nonrepayable assistance.

People today take trips to see and do things, to enjoy new experiences and to be entertained. It is the resort and the attraction sectors that increasingly motivate travel, and this fact has been recognized in today's announcement.

As I have stated, this agreement will have a positive effect on larger tourist operations. It is therefore relevant and timely to note some of the provincially funded assistance programs available to the smaller operators who are not beneficiaries of today's signing. For example, in the next few weeks I will be discussing with the Treasurer an extension to the tourist redevelopment incentive program, commonly known by the acronym TRIP, as well as the grading assistance program. The tourism term loan program will also remain in place.

In addition to and in conjunction with the Ontario Development Corp., we are developing a means whereby incentive loans will be made available to help smaller operators meet the recent changes in provincial fire safety regulations. This money will be available for the purchase of fire safety equipment to ensure operators will be able to meet the new requirements.

While today's notice focuses on the larger tourism establishments, I would like our partners from the industry to realize we are aware of the needs of smaller operators who comprise such a large and important sector of Ontario's tourism

industry. Key representatives of Ontario's tourism industry were also present at the signing this morning. I felt the following announcement would be of interest to the accommodation sector, especially hotel and motel operators.

ACCOMMODATION TAX REBATE

Hon. Mr. Baetz: Mr. Speaker, as a result of representations by the industry and after extensive consultation with my cabinet colleagues, particularly the Treasurer (Mr. Grossman) and the Minister of Revenue (Mr. Gregory), I am pleased to announce that the accommodation sales tax rebate program scheduled to end in December 1984 will be extended to the end of 1985. Through this program, out-of-province visitors may apply for a refund of the five per cent retail sales tax paid on accommodation while in Ontario.

The accommodation sales tax rebate was introduced in the last budget. Although not every out-of-province visitor takes advantage of the rebate on every visit, it has proved beneficial to a substantial number of tourist organizations and especially in attracting conventions and meetings to this province.

The tourism subagreement, the extension of the tax rebate and other initiatives of my ministry, both current and planned, will generate significant new income and employment opportunities in the tourism industry in Ontario. Further, and also important, they are a major step in forging new partnerships between federal and provincial governments and between the private and public sectors.

ORAL QUESTIONS

ADHERENCE TO MANUAL OF ADMINISTRATION

Mr. Peterson: Mr. Speaker, my question is to the Chairman of Management Board. I note he released a letter yesterday, dated November 6, from McCarthy and McCarthy under the hand of one John J. Robinette with respect to the Public Service Act concerning Mr. Parsons.

Why did the minister choose to release only the one letter and not his earlier letter? He is aware that Mr. Robinette's letter to Archie Campbell, the Deputy Attorney General, quotes Mr. Justice Labrosse as saying, "Public confidence in the civil service requires its political neutrality and impartial service to whatever political party is in power." Why did the minister choose not to release both letters?

2:20 p.m.

Hon. Mr. McCague: Mr. Speaker, the Leader of the Opposition (Mr. Peterson) is right. I was not aware of that letter.

Mr. Peterson: How could the minister not be aware of that letter when it was addressed to his colleague? A great deal of public funds have been expended obtaining these legal opinions. The two letters differ a little bit in tone. In the first, there is a very strong condemnation of any lack of impartiality in the public service. Does the minister feel he was misled by his colleague who did not give him all the facts in that instance?

Hon. Mr. McCague: No, I am sorry to report to the Leader of the Opposition that I do not get copies of all the correspondence my colleagues on this side get.

Mr. Rae: Mr. Speaker, I am concerned about the double standard that is going on here. There are literally thousands of part-time employees in the government who for years have been working under the assumption that political activity was being denied to them, the same way it was denied to every member who is covered by legislation for full-time public servants.

There is real resentment at the double standard existing in Ontario today. There is one standard for senior employees of the crown who happen to be Tories. In the case of Mr. Parsons, he happens to be the membership secretary of the Mississauga South riding association in addition to his other activities.

Does the minister not realize this places every other employee at a significant and systematic disadvantage in his or her political choice? Why does the minister not free up the standards as they apply to everybody? Why does he do so only in the case of a select few who happen to be Tories, senior employees or part-timers who are involved in this leadership campaign?

Hon. Mr. McCague: Mr. Speaker, while the member did conveniently work a bit of a question in there, I would say that was more of a statement. I do not say the rule should not be reviewed from time to time. That can be done. I will take the statement the member has just made under consideration.

Mr. Conway: Mr. Speaker, did I hear the minister who is responsible for the public service say moments ago he has not yet seen this three-page letter from J. J. Robinette, dated October 19? That letter deals at length with a very critical and timely question under his ministerial responsibility. In it, Mr. Robinette points out strongly that it would be specious and unreasonable for anyone in government to argue that a

crown employee or a public servant could actively involve himself or herself in partisan politics while continuing in the public service.

Mr. Speaker: Question please.

Mr. Conway: Surely the minister responsible for the public service has seen this three-page letter in which Mr. Robinette argues that very strong and compelling case?

Hon. Mr. McCague: Mr. Speaker, as I recall, I have not seen that letter. I said I would ask the Attorney General (Mr. McMurtry) to obtain for me an opinion on the matter at hand. That was regarding Mr. Parsons. I have a copy of that letter and I will be glad to look at the one the member for Renfrew North (Mr. Conway) has and study it.

HYDRO REVIEW

Mr. Peterson: Mr. Speaker, I have a question for the Minister of Energy. The minister will be aware that three of the contenders for the throne have now become Hydro-bashers. They are very critical of the way Ontario Hydro is being run at the moment.

The Treasurer (Mr. Grossman) has said Ontario Hydro needs a review. The Attorney General (Mr. McMurtry) has said Ontario Hydro is not truly accountable, and I gather he favours the select committee on Ontario Hydro affairs now following a policy we have talked about for some years. The Minister of Agriculture and Food (Mr. Timbrell) is talking about giving more teeth to the Ontario Energy Board to bring Hydro under control.

Which route is the Minister of Energy going to choose to bring Hydro under control?

Hon. Mr. Andrewes: Mr. Speaker, the policies of the government as they relate to Hydro will be discussed by my colleagues in cabinet and I will act at their direction.

I suggest to the Leader of the Opposition (Mr. Peterson) that if he wants opinions, perhaps he should ask the relevant members.

Mr. Peterson: Is it not clear to the minister that these gentlemen out travelling the province, listening with their ears close to the ground, are now very much aware that the public feeling is there are tremendous problems at Ontario Hydro, that Hydro is out of control and people are searching for new methods of accountability for that institution? Surely the minister is aware of that. He has heard their remarks on the subject. They have finally come around. They finally had their conversions on the way to Exhibition Place.

Mr. Speaker: Question, please.

Mr. Peterson: Is the minister not persuaded now, as the minister responsible for Ontario Hydro, that indeed we do have to look at new ways to bring Hydro into some form of accountability? Is he persuaded that is necessary or is he going to go along blithely defending the past? Is he, as the minister, going to do something now?

He has been berated by the opposition for a long time, for years. Now his own colleagues are critical of the same things we have been critical of. What is he going to do, as the appropriate minister, to bring Ontario Hydro under control? Is he going to do it now or is he going to let whoever wins the leadership do it?

Hon. Mr. Andrewes: I am not here to defend the past. I have never in this House suggested that we are not prepared to take approaches towards offering information and offering opportunities for the members of the opposition to review the activities of Ontario Hydro.

I have been in my place in this House every day since October, unlike many other members. I am prepared to be accountable on behalf of the government for the activities of Ontario Hydro. I am prepared to be accountable through the estimates process, which we have just completed. I am prepared to be accountable through the public accounts committee, which spent four days this summer considering the activities of Ontario Hydro. It was scheduled for seven days but had to adjourn after four days because it ran out of material to work with.

I am prepared to be accountable through the various means by which the government has established, and will review and continue to establish, the activities of Ontario Hydro. I am not prepared to be accountable for statements made by my colleagues outside this Legislature.

Mr. Di Santo: Mr. Speaker, does the minister realize that the statements made by his colleagues who are running for the leadership of the Conservative Party reflect a reality in Ontario? As he knows, Ontario Hydro, from now until the year 2000, will be needing \$60 billion, but at this time there is no mechanism to control the decisions that are made by Hydro and for which this government is theoretically responsible.

Here are the questions I want to ask the minister, and I want him to answer directly and not try to fudge the issue: (1) Is he in agreement with resuming the select committee on Ontario Hydro affairs? (2) Is he in agreement with his colleagues that the rate setting now is a sham and there should be more responsibility on the part of

the Ontario Energy Board? (3) Can he tell the House how the government can pursue its goals of encouraging alternative sources and renewable energy when, in his budget for the current year, these are the two items he has cut dramatically in the last few weeks?

Hon. Mr. Andrewes: Mr. Speaker, I think the member clearly understands we had a reasonable discussion on these points in the estimates process. The rate-setting procedures, as they are in place today, require the Ontario Hydro board, which is responsible for the financial integrity of that organization and responsible for the future borrowings—

2:30 p.m.

Mr. Speaker: Order, please. Will those people who are holding private meetings please resume their seats. They are the Minister of Transportation and Communications (Mr. Snow), the Minister of the Environment (Mr. Brandt), the government House leader (Mr. Wells), and the member for Lambton (Mr. Henderson).

Interjections.

Mr. Speaker: Order.

Hon. Mr. Andrewes: Mr. Speaker, I am sorry the issue has not attracted the full attention of my colleagues. I apologize on their behalf.

To complete my answer, I would only remind the honourable member that the Ontario Energy Board does review the rate proposals of Ontario Hydro and does make recommendations. If he will check the track record during the past decade, on two occasions Ontario Hydro did not accept the recommendations of the energy board and set a rate somewhat higher. On eight occasions it set a rate at least equal to the recommendations of the energy board, except in two cases where it set a rate lower than that recommended by the Ontario Energy Board.

Mr. Peterson: The minister and the energy board have no control over rates, which is increasingly a major issue in this province.

Mr. Speaker: Question, please.

Mr. Peterson: His colleagues are now joining the chorus of criticism that is coming from across this province that there is no effective control on Ontario Hydro. Bill Wilder said Hydro's borrowing could add to the reduction of the province's triple-A credit rating or the moderating down of that credit rating; the Treasurer has found that out, much to his chagrin. The president of Kidd Creek Mines said the rates would have disastrous long-term effects. The Association of Major Power Consumers in Ontario is predicting job

losses. The list goes on, of people screaming for some kind of accountability and efficient management.

Is it now the minister's position that it is all efficiently managed, that the system is quite fine as it is in place now and that he does not need any further accountability? Is the minister standing up and saying his colleagues are wrong and that he is going to resist any kind of method to bring more accountability? Is that his position?

Hon. Mr. Andrewes: I think the Leader of the Opposition is at some peril in quoting Mr. Wilder. Mr. Wilder, of course, is the president of Hiram Walker Resources, which has some vested interest in selling natural gas in this province in opposition to Ontario Hydro, so I think he might perhaps want to be a bit careful.

As I said at the outset, I am prepared to be here and to be accountable for the activities of Ontario Hydro on a daily basis. Concerning the opinion of the government and how we approach accountability, the member knows what the system is, how we utilize it and how we approach changing it. I am quite open to having that kind of discussion and I will act at the direction of the government when that decision is made.

AFFIRMATIVE ACTION

Mr. Rae: Mr. Speaker, I have a question for the Deputy Premier about a question in which I personally have an ever increasing stake. That, of course, is the question of affirmative action.

I am sure the Deputy Premier is aware that recent investigations, both by our party and by the Toronto Star, have shown that the affirmative action program he described, I think in his estimates, as the flagship of his directorate is nothing short of a hoax in what it has produced and who is involved.

Can the Deputy Premier confirm that, of the 39 companies that have declared they are part of this great program of the government, only nine are private employers that come under provincial jurisdiction? Is he aware of that fact, and can he tell us why the government continues to refuse to release the names of the companies that are involved in this program overall? Why does he refuse to tell us exactly what these companies are doing? Why does he refuse to make those two points of policy perfectly clear and a matter for public debate?

Hon. Mr. Welch: Mr. Speaker, in apologizing for being late for the opening exercises, may I add my congratulations to others that have been extended to the leader of the third party on the birth of his daughter. I can understand his

particular interest in affirmative action; as a recent grandfather of a granddaughter, I would join with him to make sure we do make some progress in this matter.

In view of this personal matter, it is understandable the leader of the third party was not here yesterday to hear every word I was saying in the estimates. The place was really jammed. As I recall, there were only one or two vacancies yesterday afternoon.

As we talked about affirmative action, I pointed out it was far from being a hoax. In all fairness, I do not suggest for a moment our records are necessarily up to date with respect to what is going on in the so-called private sector. Yesterday in my estimates I said I felt Jackie Smith's article in yesterday's Toronto Star provided a great service by giving some focus for this.

We have reason to believe that some time this afternoon Judge Abella's report on this subject will be made public as we have the results of those public hearings with respect to affirmative action in federal crown agencies and federally incorporated companies.

If the member for York South (Mr. Rae) had had the opportunity to review it, he would have heard that as far as our records are concerned we are talking about 258 major employers in this province outside the Ontario public service. If memory serves me correctly, of that list there were 218 that were what we call truly private sector employers.

I pointed out to the member some time ago that in order to gain that information there were certain undertakings made with respect to confidentiality. About 30 of the 218—although members should not hold me to that number—allowed us to indicate they had used the consultative service of government and were on our list.

The employers that happen to be on our public disclosure list have really simply indicated they were prepared to share specific measures they had undertaken to improve the status of women. That is how they got on the list. I point out again, as I did yesterday, that the directorate has never made claims that all had rigidly defined programs with numerical goals and timetables.

After an entire summer of meeting with presidents and chief executive officers, I am quite satisfied our records are quite incomplete. There is far more going on out in the community than that of which we have knowledge. We want to do something about that through trade organizations. I am not here to be an apologist for

these companies. I think it is for them to defend themselves.

Mr. Rae: The problem is not that there is more going on; the problem is that there is less going on than the government is claiming.

Mr. Speaker: Question, please.

Mr. Rae: I have heard the minister. He has stood here in this House time and again and said this is his flagship program. I can tell the minister the flagship is sinking fast.

Mr. Speaker: Order. Will the honourable member please place his question.

Mr. Rae: How is it possible the city of Cornwall would be on this list when it says it is only exploring the possibility of having a program? How is it possible that Xerox would be on his list when it says: "We have only a bit of a program. We do not want to talk about it publicly"?

How would it be possible that IBM would be on his list when it admits it does not have a formal equal opportunity program because it already promotes on merit and that is what counts? It says, "The government probably put IBM on its list because it felt the company's practices constitute a program." What is this program? Why is it such a state secret?

Hon. Mr. Welch: I completely understand, and most reasonable people understand, what positive affirmative action is. In its interpretation or implementation, it may vary from company to company. I would remind the member and bring him back to the fact that for 10 years the Ontario government as an employer has set the example in this province with respect to affirmative action.

I invite the member to show me any other political jurisdiction on this continent that can match the Ontario government's record now. Against that background we have been dealing with the private sector through our consultative service.

I would repeat that the employers on our public disclosure list have indicated they were prepared to share some specific measures dealing with the equality of women. The people who were in to see me were not necessarily satisfied with their own progress.

I think our program of affirmative action is something of which we should be proud and I would hope the member would join with other members of the Legislature in giving credit to the progress we have made in the Ontario public service.

2:40 p.m.

Mr. Wrye: Mr. Speaker, as estimates proceeded yesterday I became more and more aware—and I think my colleagues who jammed this Legislature did as well—that what we are playing here is some kind of numerical shell game. I want to ask the minister two specific questions about the famous 258.

How many of the 258 firms that he claims have some kind of affirmative action program have an ongoing affirmative program today? Second, how can he claim that 11 school boards that have not yet committed themselves to an affirmative action program are on the list of 258? He gave us that number yesterday. Is that not just so much exaggeration to puff up the numbers?

Hon. Mr. Welch: No. I think in all fairness we are not attempting to puff up anything. I am quite in agreement with the member for Windsor-Sandwich (Mr. Wrye) and the member for York South that there is a lot of work yet to be done.

I stand here accountable for the work of the Ontario public service and I am very proud, and I hope the member is proud, of the progress we have made in this area. We say to other public agencies in this province: "Match us. Let us get busy because the public expects you, spending public money, to translate and implement public policy in this regard." We say to the private sector, "Let us get busy showing some evidence of this as well."

We have these particular numbers. I am satisfied they do not reflect the true picture of what is going on at all.

Mr. Rae: We have finally had an admission from the government that its flagship program is not describing the situation that exists. If this is their flagship, then the rest of the fleet must be the Titanic, because this program is nothing short of a complete and utter hoax.

Mr. Speaker: Question please.

Mr. Rae: We do not know who the companies are or what they are doing. When we ask them, they say they are not doing what the minister says they are doing.

Is it not true that only nine private companies are now prepared to say they are involved in the program? Of those nine, the ones that have been cross-examined, the ones we have challenged, a great many of them, are admitting they do not have an affirmative action program or anything approaching it by name, they are on the list simply because somebody from the minister's office may have phoned them once and they continued to talk to them and did not hang up.

Is that not in fact the definition of the so-called program?

Hon. Mr. Welch: The answer to that question is no. To be fair, the member has to have a clear definition of what he is talking about as far as affirmative action is concerned.

I told him three times already how people get on our list and the number who have allowed public disclosure. Indeed, I have made it quite clear to the private sector when they are coming in. I do not stand here as their apologist. They have to stand on their own feet and respond to the questions the member has directed to them. That is the service Jackie Smith and others provide by naming them.

I can give reasons to the member of how the city of Cornwall or how IBM or others got on the list. It is quite clear how they got on the list. Indeed, there is a lot more to be done. It is obvious we do not have complete information with respect to the private sector. We should also take some encouragement from the fact that as employers we are setting a very positive example of affirmative action and we have to make sure that is translated in some meaningful way as far as other major employers are concerned.

MEDICAL TRANSPORTATION

Mr. Rae: Mr. Speaker, this is another question in the series inspired by those leadership candidates who have suddenly got religion. I have a question of the Minister of Health, who has not suddenly got religion at all from what I can determine, certainly not of the leadership kind.

The minister's colleague the Treasurer (Mr. Grossman) has been all over northern Ontario preaching the gospel about northern health care and the need to subsidize northern transportation costs. The candidate for whom the minister is one of the leading acolytes, his colleague the Minister of Agriculture and Food (Mr. Timbrell), has even gone on record as saying he is now prepared to look at the costs, has gone out on a limb in the city of Thunder Bay and has said it is certainly something that should be studied, which, in the case of that minister, is practically a revolutionary declaration.

As the minister responsible for delivering on all the promises these gentlemen are making across the province, is the position of the Minister of Health still the same as he declared in the famous interview with Sam Bornstein on May 23, 1984, where he said, "I think if one looks at the priorities across the health care

system, there are much higher priorities than that”?

Hon. Mr. Norton: Mr. Speaker, the short answer is yes, that is still my position. However, I think if the member's colleague from Thunder Bay had briefed him on the discussion we had in estimates, he might have understood a little more fully what my position was on this issue.

I stand, as I did before, opposed to the expenditure of \$50 million or \$70 million of health dollars on transportation costs at the expense of an expansion of services to communities and residents of northern Ontario. I do not subscribe to the colonial mentality that is reflected in the policy of the member's party. The people of northern Ontario are entitled to services provided in their communities. I have indicated in discussions with the member's colleague that I am not opposed to looking at ways to address that where there may be evidence of a barrier to access as a result of the cost of transportation.

I am not going to allow my position vis-à-vis any leadership candidate in this party to colour my views on that subject. I have confidence in my colleague the Treasurer. I am sure he would not make statements such as he apparently is reported to have made. I do not know the details of his position. I have confidence that he would not make such statements without having—

Mr. Speaker: Thank you.

Mr. Rae: Let me ask the minister this question. Half of his cabinet colleagues voted for the resolution that came from my colleague from Thunder Bay. The Treasurer was in the north last week and was quoted thus: “While campaigning for the Progressive Conservative leadership yesterday, Grossman said northerners should not have to shoulder the burden of expensive travel and accommodation costs when getting medical treatment in Toronto.” Is the minister saying his colleague the Treasurer suffers from a colonial mentality?

Hon. Mr. Norton: In many instances, the citizens of northern Ontario do not have to bear the costs of expensive travel. As members know, we already have in place probably the most extensive air ambulance service of any jurisdiction in this country and perhaps the world. There are precedents for provision of some subsidies for other transportation costs as well.

My position is the correct one, and it is not entirely inconsistent with that of my colleague. The resolution of the member's colleague is not necessarily what may be proposed by my colleagues on this side. His colleague's resolution was very specific in relating to travel of over

200 miles under a universal program. That would be entirely too costly; that is my position. It is quite possible there could be something less than a universal subsidized program for all travel over 200 miles, which would have to apply to southern Ontario as well and which would meet the concerns that have been expressed.

Mr. Sweeney: Mr. Speaker, in his response the minister referred to the recent estimates debates. I would remind him that during those debates his own director of emergency services made it very clear to us that the sparsity of the population in northern Ontario and the wide distances that have to be traversed made it absolutely mandatory that there be transportation services that simply would not be necessary in the south.

Mr. Speaker: Question, please.

Mr. Sweeney: Would the minister not agree that using the term “colonial mentality” when referring to the opposition benches is inappropriate? We need to recognize that the provision of health services in northern Ontario has to be done in an essentially different way from the way it is done in the south.

2:50 p.m.

Hon. Mr. Norton: Mr. Speaker, I recognize there are distinctions to be made for geographic reasons and for reasons relating to concentrations of population. If the member recalls the context of the discussion he referred to, it related to specific areas of expertise that could only be provided on a regional basis—bone marrow transplants are just one example of a number of things—wherever one lives in the province. In some instances, those services could only be provided in one place because of the high degree of specialization in the training of the personnel required. I do not suggest anything to the contrary.

In terms of recognizing the differences geographically and the need for specialized transportation, this government has already done that in that the air ambulance services from the north are not available in all parts of the south.

Mr. Martel: Mr. Speaker, in regard to this great and wonderful system he talks about, is the minister not aware that when people need to have transportation to the south, ordered by a doctor, they have to pay their own fare down here? They can submit an appeal, which is automatically rejected, and then they have to take it to a health board appeal. People who need the money do without the service because they cannot wait for the government to determine whether they are

going to have coverage to come down here. What are they supposed to do—die first?

Hon. Mr. Norton: Mr. Speaker, a balanced review of the facts would point out that what the member says is not universally the case. There might be some specific cases of which the member is aware, in which case I ask him to bring them to my attention somewhere other than on the floor of the House. He knows he has ready access to my office. He uses it all the time through correspondence and otherwise. I will be glad to look into any case of hardship he raises.

The point is, if it is a matter of life and death, it is presumably an emergency situation and the person will be eligible for transportation on the air ambulance system. If it is a matter of continual need for transportation for treatment of cancer, for example, we do cover that cost through the subsidies we provide through the cancer foundation. There may be some other specific cases of hardship of which the member is aware which are not simply a matter of choice on the part of the patient. If the member brings those matters forward, we will try to address them.

CAMPSITE DEVELOPMENT

Mr. Reed: Mr. Speaker, I have a question for the Minister of Natural Resources. It is a question of growing concern over the direction the ministry's policy concerning campsites in provincial parks is taking.

For the minister's information, I would like to quote from a speech made by his deputy minister in which he says, "and in future we intend to de-emphasize campsite development not only in future parks but also in parks now in the system." Considering that campsite development at present is at about the 1975 level, are we witnessing the end of campsites in provincial parks?

Hon. Mr. Pope: No, Mr. Speaker.

Mr. Reed: I wonder if the minister would then explain that statement made by his deputy minister and confirm to us there is no hidden agenda to reduce these and that the minister will go on and develop additional campsites in new provincial parks as they are created.

Hon. Mr. Pope: I think the member is aware of the land use planning process over the past two and a half years that resulted in the commitment by the ministry and this government to create new provincial parks in our system. He is aware of the classification system of the provincial parks. Some are of low-intensity utilization related to wilderness and natural reserves. Others have a higher degree of use by our fellow citizens

and visitors; they are recreational class and historical class parks. In each one, in each area of the province, we analyse the needs for overnight camping facilities and day use facilities. There are two different markets we are attempting to reach.

With regard to overnight facilities, we determine whether campsites are needed in the park, based on private campgrounds located in surrounding areas immediately adjacent to the parks and the state of those businesses. We look at any other park facilities that already have campgrounds in the same area that are underutilized.

Based on those decisions, we make an assessment of whether we need to spend the kind of money that must be spent on these overnight camping facilities, including hookups for trailers, pavement of parking areas and pavement of access roads. In making all those decisions, we want to balance the outdoor recreation experience we are trying to promote among Ontario residents and visitors with the need to protect and preserve the quality of the natural environment that is represented within the confines of those park boundaries.

Mr. Laughren: Mr. Speaker, I wonder why, during the entire land use planning process, the whole question of the privatization of parks was never put forth as an option. Is it because the ministry had done its polls, which showed there was no support and that, as a matter of fact, there was antagonism towards the whole idea of the privatization of parks?

When the minister does conduct an open process, as he calls it, why does he not lay before the people in an honest way the kinds of options he is really considering? Why does this bunker mentality persist within the Ministry of Natural Resources, particularly when it involves an issue he knows the public does not support? Why did he not lay before the Ontario public what he was really considering on the whole question of the privatization of parks?

Hon. Mr. Pope: If we had followed public opinion in the poll, to which the member has access, then he would have accused us of being led by public opinion polls. Those guys over there want to have it both ways on these issues. That is typical.

This decision, as he knows, was made in 1978. It was well known. It was controversial when we started with Craighleith and, as he knows, since 1979 it has been the subject of public discussion. So enough of this nonsense about secrecy. He does not know what he is talking about over there.

Mr. Laughren: Mr. Speaker, on a point of privilege: Surely it is unparliamentary for a minister of the crown to accuse a New Democrat of not knowing what he is talking about.

Mr. Conway: Mr. Speaker, just on that point, if I may?

Mr. Speaker: What point was that?

Mr. Conway: On the point made by my friend the member for Nickel Belt (Mr. Laughren). I think this parliament would be well served if the Minister of Natural Resources would not attack the member for Nickel Belt as though he were the member for Kenora and the Minister of Northern Affairs (Mr. Bernier).

ONTARIO LOTTERY CORP.

Mr. Swart: Mr. Speaker, my question is to the Minister of Tourism and Recreation and it concerns the Ontario Lottery Corp.

Is the minister aware of an unincorporated company based in Streetsville by the name of Financial Freedom Group, which markets Lotto 6/49 tickets in the United States as far away as Denver, Colorado? If so, will he confirm they sell those tickets for US\$2, or about C\$2.65, without ever mentioning in their direct mail literature that the price here is \$1?

Will the minister also tell the House how the postal law in the United States is circumvented, a law that bans the transmission by mail of tickets or orders for tickets on any foreign lotteries?

Is the minister part of that scam? Will he tell us if the company is an agent or vendor for the Ontario Lottery Corp.? If not, where does it get its tickets? Does the minister not think this kind of operation brings into question his integrity and that of the Ontario Lottery Corp.?

Mr. Speaker: I think that was a four-part question. You may take any one of the four parts.

3 p.m.

Hon. Mr. Baetz: Mr. Speaker, to begin with, I would like to say the member for Welland-Thorold could get those answers from the Ontario Lottery Corp. directly and fully if he did not disguise his voice. Every time he phones the lottery corporation, he is talking through a hat.

Interjection.

Hon. Mr. Baetz: He does, he does. He talks through his hat or through his sock. Why does he not tell them who he is?

Interjections.

Mr. Speaker: Order.

Mr. Swart: Mr. Speaker, on a point of privilege: When I phone the Ontario Lottery

Corp., I identify myself. I am not ashamed of my questions.

I did not receive an answer to my first question. Perhaps the minister does not have any. I hope he will look into this matter. While he is doing that, will he also note that the Financial Freedom Group sells Wintario tickets in the United States for US\$1.50; that is C\$2. I guess that company has found out how to get more bucks for a bang.

Does the minister know the company's promotional material—which I will send to him now so he will know something about it—indicates winners in the United States do not have to pay taxes on their winnings? Such winnings in the United States are taxable when they come from outside the country.

Mr. Speaker: Question, please.

Mr. Swart: Will the minister consult with the federal authorities on whether this is misleading advertising? Second, will he introduce legislation to make it illegal for provincial or interprovincial tickets to be resold above the original price?

Interjections.

Mr. Speaker: Order.

Hon. Mr. Baetz: A simple answer is that the Ontario Lottery Corp. does not condone this kind of activity of sales in the United States. The Ontario Lottery Corp. does a fine business right in this province and does not have to stimulate sales of tickets in the United States.

Furthermore, the Ontario Lottery Corp. is aware this has been going on. It is trying to get to the bottom of it. The board of directors is trying to see what it can do to stop it. The member for Welland-Thorold knows it is not a very simple thing to try to stop this practice; but the lottery corporation (a) does not condone the practice and (b) certainly will take every step it can to stop it. We do not believe in breaking American law. This is not breaking the Canadian law, it is breaking American law; but we do not condone it and we will try to do what we can about it.

Mr. Eakins: Mr. Speaker, since the question under discussion is about lotteries, how does the minister view the statement by his friend in Ottawa, Mr. Jelinek, that the sale of lottery tickets is really immoral and a tax on the poor? How does he see that?

Mr. Speaker: That is hardly a supplementary.

Mr. Conway: Otto Jelinek has accused the minister of indulging in an immoral act.

Mr. Sargent: Mr. Speaker, on a point of order: Since when does the Speaker have the right to censor the value of questions?

Mr. Speaker: I have a lot of discretion in this House that you may not even be aware of.

Mr. Sargent: That was a hell of a good question. Why did the Speaker not let him answer?

Mr. Speaker: Will the member please sit down?

RONDEAU PARK

Mr. McGuigan: Mr. Speaker, my question is to the Minister of Natural Resources.

On October 23, when I asked the minister about the Rondeau Provincial Park leaseholders and his intentions of fair compensation, he said he had no knowledge of any cottages being bought by the ministry. Is he aware there is a suit in the process of being brought by Rev. Donald Suter? The transcript of the cross-examination of John Robert Morton, supervisor of the public land section, has him testifying that the Ministry of Natural Resources bought one cottage each in 1981, 1982 and 1983. Is the minister aware of that?

Hon. Mr. Pope: Mr. Speaker, I am aware that in 1962 the then Department of Lands and Forests announced an initiative for a land acquisition program focusing on parks and indicated the government had some intention of acquiring outstanding leasehold interests situated within the parks, that the average cost per leasehold interest acquired was \$10,000 while the leases were outstanding, that 141 cottage leases were acquired between 1964 and 1982, and only two cottage leases have been acquired since 1977. I am aware of those facts.

Mr. McGuigan: I do not see how that changes the case of the people who are facing the loss of their leases today. In view of these recent three purchases, does the minister not think it would be sensible and fair for the government to announce a reasonable cash settlement for these people, balancing all the pluses and minuses, such as the facts that they have enjoyed cheap leases over the time, that they have made a positive contribution to the economy of the park and the negative impact of the forced move?

Given the poor legal advice the minister seems to be receiving in recent days, does he not think it would be reasonable to make an equitable settlement with these people and not face this series of lawsuits?

Hon. Mr. Pope: The fact of the matter is that of course I am sensitive to their point of view with respect to this. They were aware of the terms of the lease document when they signed it. They

were aware of the terms when they renewed it. They were aware of the government offer in 1977, which they rejected. They are aware of fellow leaseholders, not only in this park but also in many other parks across the province, who did not get the kind of offer the honourable member is asking me to give now. What about all those people who might have some retroactive rights? What about the people who have land use permits on a year-to-year basis? Every time one of those is cancelled, would we give compensation for the value of anything they may have placed upon the land, knowing it is a one-year right?

These are all basic issues that involve a lot of money for the government to consider before it changes its basic policy.

CAMPING FEE

Mr. Breagh: Mr. Speaker, I have a question for the Minister of Municipal Affairs and Housing. Why, at a meeting that was held on Tuesday, October 30, did he leave the Ontario Private Campground Association with the impression that he will bring into effect by January 1, 1985, a fee or a tax on campers of \$10 a month? How did they get that impression?

Hon. Mr. Bennett: Mr. Speaker, I met with the Ontario Private Campground Association, along with some of their associate members, to discuss the potential of bringing legislation into this House that would relate to taxation or fees against trailers that are stationary on a park for a period longer than 30 days.

The House is fully aware that this comes as a result of municipality after municipality asking the government to look at the possibilities of putting into place some revenue-producing opportunities for them as far as trailers are concerned. It comes as a result of requests from not only municipalities but also cottage owners who believe there is an unfair advantage being taken by people whose trailers are stationary on a piece of property for a longer period than 30 days.

I told them we were looking at some potential legislation. I reviewed with them some opportunities, and I want to underline that phrase "some opportunities." They expressed to me some views that they thought might be included in legislation if we were to produce some in this House during this session. I am looking at that. I have not offered them or my caucus colleagues any guarantee that we will be introducing legislation in this session.

Mr. Breagh: I must say the campground owners and campers are under the impression the

minister will introduce legislation which will be in effect in January. Let me put it to him a little more succinctly. Will he or will he not be taxing campers an additional \$10 a month come January 1, 1985?

Hon. Mr. Bennett: As far as the date of 1985 is concerned, there will be no fee implemented in relation to the campers. I indicated that thinking to the camp owners' association because of the time factors that are involved in producing a legislative piece of business. I clearly indicated that to them at the time, and I emphasize it again here today. It will not come into effect on January 1, 1985.

3:10 p.m.

As the minister, I still take the privilege of reviewing the situation in relation to the comments that were made by the camp owners and of discussing with the members of the caucus of this government party which direction we might want to take, whether to produce a bill or whether to get into a white paper and to try to flush out more comments from municipal associations, the camp owners' association and private citizens. That is a privilege I will retain, and I will make that decision as we go along.

Mr. O'Neil: Mr. Speaker, if it is as the minister says, there are a lot of these people who are very upset. The minister is saying the municipalities want additional income. Can the minister tell us whether it is actually the municipalities' intention to do this, have they asked for it, or is it something the minister has suggested?

We have also been told the minister is going to phase it in, with \$3 in 1985 and increasing it over two or three years. Is there legislation that has been presented to cabinet on this? Where does it stand? Is the minister saying it is not going to be coming in next year? Is it coming in the following year? What is happening? Let us clarify it.

Hon. Mr. Bennett: Mr. Speaker, in answer to the second question of the member of the New Democratic Party I indicated very clearly the options I retain are whether I introduce a bill into this House or go by a white paper, which will draw out more comments from the municipalities.

The municipalities have asked for this type of procedure. More than 300 municipalities have written directly to us in the ministry to do something to allow them to secure some degree of revenue from those trailers that are stationary in a park for a longer period than 30 days.

It is an attempt to respond to the municipalities that believe they are entitled to some additional revenues, the same as they get revenue from a cottage owner whose property is there and used only for a time in the summer. They think they are entitled to some additional revenue from the trailer owners, not the camp owners, and we are looking at that.

COMMERCIAL FISHING QUOTAS

Mr. Mancini: Mr. Speaker, I have a question for the Minister of Natural Resources. The members of the House know full well that the minister and some members of the commercial fishing industry have been at loggerheads and have been trying to resolve their problems in court. We are all aware that the minister has now lost in court six consecutive times. At one time he was even threatened by a justice that he might be found in contempt of court.

A significant period of time has now passed and the fishermen who have taken the minister to court have stated publicly they are willing to sit down and negotiate new quotas with the minister. Will he accept that suggestion? Instead of prolonging the chaos in this industry caused by the ministry, will he sit down in a rational way to meet with the industry to resolve the problems that have been caused?

Hon. Mr. Pope: Mr. Speaker, I have met with the associations. I have met with the Eastern Lake Erie Trawlers' Association and the association of eastern Lake Erie commercial fishermen four times in the past year with respect to the modernization program. I have met in Wheatley with the representatives of commercial fishermen from western Lake Erie on two occasions; they have been in my office on two occasions with respect to outstanding matters on the modernization program.

This program has not been developed in isolation from the objections and concerns of the commercial fishing organizations of Ontario. As the honourable member is aware, they themselves support the need for some type of individual quota system. As is usual with such a system in its first couple of years, the argument is between individuals on their allocations and between catch basins on the allocations between the basins, particularly in Lake Erie. These discussions and arguments will continue. I will continue to be a part of them in trying to make sure every commercial fisherman on Lake Erie has a say and has some explanation of the quotas.

The member is aware we have international obligations. We also have obligations to other

user groups on the lake and we have an obligation to the commercial fishing industry itself to have a stable, sustained-yield supply of commercial species now and for the future, and by doing so to protect their very livelihoods and ensure the survival of a very important export market they depend upon. It is not this minister who is throwing that market and their livelihoods into jeopardy; it is a small minority that does not want any limits on its commercial fishing activity.

Mr. Mancini: If the minister does have any biological reports that would indicate the size of the resource in our Great Lakes, which we have asked him for in the past, we would be willing to accept these reports and go over them; but, as usual, he feigns that he has these reports and then we do not see anything.

After being given an opportunity by me today to state clearly that he understands the problems and that he knows the quotas for a good number of people—

Mr. Speaker: Question, please.

Mr. Mancini: —have to be increased to prevent many bankruptcies and a severe financial loss by many people in the industry, why does the minister continue to put up the red herring that they are fishing out the lake instead of saying, “Yes, I will meet with the fishermen; yes, I will go over the allocation of quotas; and yes, if there are fish there we will allow the fishermen to have access to these particular resources”?

Hon. Mr. Pope: In my response to the initial question I indicated to the member I have met with the commercial fishermen and with their organizations and I will continue to do so.

The member is aware of one of the issues that arose during the summer months with respect to the allocation of yellow pickerel in Lake Erie. The commercial fishermen came to us and indicated additional supplies of yellow pickerel were available that should be harvested. Our biologists, in concert with them, arrived at an estimate of a total increase in harvest in eastern Lake Erie. We allocated more than 50 per cent of that additional resource to the commercial fishermen over the objections of the sports fishermen on the basis of a biological assessment they knew of, we knew of and the public knew of.

That is the approach we have taken with respect to yellow pickerel in Lake Erie, that is the approach we took with respect to whitefish in Lake Ontario and that is the approach we will continue to take with respect to all these species.

The member knows that I did not say that all commercial fishermen were ignoring their re-

source and were fishing it out. I said there were three or four individuals, a minority, who had no—

Mr. Mancini: It is not three or four fishermen.

Mr. Speaker: Order.

CONDOMINIUM CO-OPERATIVE ASSESSMENTS

Mr. Philip: Mr. Speaker, I have a question of the Minister of Revenue stemming from his very welcome statement that he finally recognizes the unfair assessment on condominiums and co-operatives and will change the assessment system to correct this injustice.

Has he calculated what the shortfall will be to each municipality as a result of this reassessment? Has he met with the Treasurer (Mr. Grossman) and the Minister of Municipal Affairs and Housing (Mr. Bennett)? Will there be a system of rebates to the municipalities to cover the shortfall they will be experiencing as a result of the mistakes of the provincial government's assessment program?

Hon. Mr. Gregory: Mr. Speaker, I am certainly happy to answer this question. I wish the honourable member had been here at the time I read my statement. Of course, he has had a chance to examine it now.

We are responding to the decision of the courts as opposed to admitting that there is anything wrong or that a mistake has been made in the assessment practices of this province.

Concerning the amounts and being able to recognize any shortfall, that is impossible to determine because, as I am sure the member will be aware, not only will some assessments go down but a certain percentage of them will also go up.

Mr. Philip: Does the minister not recognize in the case of Mississauga alone that Mississauga will have a shortfall of some \$5 million and similar shortfalls will occur in other cities? Indeed, the research I tabled in this Legislature, which the minister admits stands up to his staff's examination, shows that assessments as a whole will go down because condominiums have been overassessed.

Is he prepared to say that since it is his fault this unjust assessment has gone on over the years, the municipalities will now have some kind of reimbursement from the provincial government by way of unconditional grants or another such scheme to make up for the shortfall of millions of dollars they are going to experience?

Hon. Mr. Gregory: It is nice to know the member across the House has such foresight that

he can determine fault before it has been dealt with.

As he well knows, there are many thousands—

Mr. Philip: They admitted it.

3:20 p.m.

Hon. Mr. Gregory: Does the member want to hear the answer or not?

Many thousands of these condominium appeals will be held before the Ontario Municipal Board, a fact the member happened to omit. He is not even aware that is going to happen. These appeals will still go to the municipal board and only then can we determine whether there is going to be a shortfall and, if so, how much.

The member's question is a little premature and I think he should check his facts before he asks a question such as that.

REPORT

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Mr. Kolyn, on behalf of Mr. Kerr, from the standing committee on social development reported the following resolution:

That supply in the following amounts and to defray the expenses of the Ministry of Citizenship and Culture be granted to Her Majesty for the fiscal year ending March 31, 1985:

Ministry administration program, \$8,008,500; heritage conservation program, \$26,073,900; arts support program, \$72,185,500; citizenship and multicultural support program, \$10,888,000; libraries and community information program, \$30,218,300; capital support and regional services program, \$23,957,800.

INTRODUCTION OF BILLS

TOWN OF COBOURG ACT

Mr. Sheppard moved, seconded by Mr. Villeneuve, first reading of Bill Pr44, An act respecting the Town of Cobourg.

Motion agreed to.

LEGISLATIVE ASSEMBLY AMENDMENT ACT

Mr. Kolyn moved, seconded by Mr. MacQuarrie, first reading of Bill 150, An Act to amend the Legislative Assembly Act.

Motion agreed to.

MOTION TO SET ASIDE ORDINARY BUSINESS

Mr. Mackenzie moved, pursuant to standing order 34(a), that the ordinary business of the

House be set aside in order to debate a matter of urgent public importance, namely, the closure by Black and Decker Canada Inc. of its manufacturing plant in Barrie, with the attendant loss of more than 600 jobs in that community; the fact that the government has totally failed to respond to protect the jobs of the workers and the community economic base they represent, and the fact that there is no process of public accountability in such instances that would ensure every possible alternative is explored to prevent the closure of the plant.

Mr. Speaker: I would like to advise all honourable members that the motion for emergency debate was received in my office within the time frame prescribed by the standing orders. I will listen for up to five minutes to why the honourable member would like the ordinary business of the House set aside.

Mr. Mackenzie: Mr. Speaker, I am asking that this House and the members of all parties in this House agree to approve an emergency debate on the Black and Decker closure. This closure is a continuation of the rather sickening pattern of branch plant closures we have seen in Canada in the last several years, a practice that seems to have totally handcuffed this government.

In the case of the Black and Decker plant in Barrie, it is a move that has serious implications for a small city of some 40,000 people. The closure of Black and Decker in Barrie means 600 jobs lost in the primary plant closure. It is the second largest employer in that city. It could mean as many as 900 additional jobs lost due to the spinoff effects. It is a cost to the community of almost \$30 million in lost wages.

The people in the city of Barrie are going to pay a horrible price for a government that seems to be tucked into the hip pocket of the international corporations and owners of the offshore operations.

This plant closure mirrors hundreds of others and underlines the inability on the part of this government to protect people when business whistles and says it is going to shut down a small plant. When I say it mirrors many others, in this case the plant is modern, made a pre-tax profit of \$6.6 million, an after-tax profit of more than \$4 million last year and a return on investment of 15 per cent.

The company in Barrie has developed some real sales winners such as the electric skillet. Production is up from 30,000 to 250,000 in only five years, with an expected production of 500,000 in the next two years.

The sale by Canadian General Electric to Black and Decker was supposed to protect the jobs of the workers in Barrie. In the period immediately preceding that—one sometimes wonder if there is not a little milking going on—we had seen the product lines of this company, that previously numbered 27, shrink to seven as production has shifted offshore and imports increase. We saw some of this in the SKF operation as well.

Seventy per cent of our housewares market is now controlled by imports from Hong Kong, Taiwan, Brazil, Singapore, Mexico and the United States. This is part of the pattern with which every member in this House should be concerned.

This government has refused an all-party resolution to declare support for the effort of the workers at Black and Decker. We tried to get an all-party resolution that would say, "We, in the Legislative Assembly of Ontario, declare our support for the efforts of the workers at Black and Decker in Barrie to save their jobs and we urge Black and Decker Manufacturing Co. to reverse its decision to close the Barrie facility." We were not successful.

However, as soon as we saw or heard of the closure of the Griffith mine, we had the spectacle of the Premier (Mr. Davis)—and I do not disagree with it—sending a letter to Stelco asking the company to reconsider. We had the Treasurer (Mr. Grossman) commenting that Stelco should take another look at its move to close the Griffith mine operation.

What kind of a double standard are we operating in this province? When are we going to move as quickly on an American-owned plant as we seem to be willing to do on a Canadian-owned plant in this province of ours? When are we going to start doing something about the loss of jobs to Canadian workers? When are we going to deal with the never-ending litany of runaway plants in this province?

Mr. Martel: When are we going to reintroduce the select committee?

Mr. Mackenzie: When are we going to see the select committee reintroduced, as my colleague asks? When are we going to see some move on the part of this government to deal with this never-ending loss of jobs to Canadian and Ontario workers?

If this government is not prepared to deal now with something as serious as this matter and to have a debate on what we might do and what we should be doing with this kind of loss of jobs, if we are going to continue to take no action and

continue to be tucked into the hip pocket of these corporations, if we are going to continue to be afraid to move when it means protecting workers, and if we are going to allow these double standards, then this government has no more morals than a mongrel.

Mr. Speaker: Before proceeding, we did not get the name of the seconder to the member's motion. Did he have one?

Mr. Mackenzie: The member for Sudbury East (Mr. Martel).

3:30 p.m.

Mr. Mancini: Mr. Speaker, I want to join in support of the motion put forward by the member for Hamilton East (Mr. Mackenzie). The member has asked for an emergency debate to discuss the announced closure of the Black and Decker plant in Barrie. We are aware this closure will affect 600 individuals. We will be losing 600 jobs in Ontario.

On November 14, my colleague the member for Quinte (Mr. O'Neil) issued a press statement. It said: "Like all observers of the industrial scene in Ontario I am deeply disturbed by the circumstances surrounding the planned closure of the Black and Decker housewares plant in Barrie. While there is much dispute about the exact figures, of one thing there can be no doubt: hundreds of jobs will be lost.

"The employees and thousands of citizens of Barrie have requested the Ontario Legislature to act as part of a campaign of conscience directed at the company by giving unanimous all-party approval to a resolution that Black and Decker reverse its decision.

"I support this goal, as does the Ontario Liberal Party, and I am pleased to table the attached resolution for the consideration and, we hope, approval of all members." My colleague the member for Quinte did table such a resolution on November 14.

Again we are seeing the trend to mass layoffs and plant closures. It was announced only recently at the Burns plant in Kitchener that 600 hourly-paid and salaried workers would be laid off. The Black and Decker Co. of Barrie announced 600 layoffs and a plant closure. Alcan Ltd. will shut down its Kingston plant. A lot of plant closures are occurring in areas represented by government members.

Where are these members when their citizens need them? They always campaign on the premise that people should vote for a member on the government side. Yet here we have 600 jobs being taken away from an area represented by the Solicitor General (Mr. G. W. Taylor) and

another 500 jobs being lost in an area represented by the Minister of Health (Mr. Norton). Where are these people when the general public needs them?

Several contradictions in the policies of the management teams of Canadian General Electric and now Black and Decker have appeared. In 1983 we were told through published reports in Corporate magazine that Black and Decker in Barrie had a rosy future. In fact, \$5 million had been spent over the past five years to help upgrade the plant. The skillets made at the Black and Decker plant, which are famous, had sales increases of more than 700 per cent. We were told that once the sale was made it would assure the future of the Black and Decker plant in Barrie. Instead, five and a half months later, we had exactly the opposite. We had a full closure of the plant.

The new Conservative government in Ottawa must review immediately the Foreign Investment Review Agency agreements made with Black and Decker and CGE to make sure they lived up to every obligation they promised. We were promised by the Prime Minister of Canada, Brian Mulroney, that immediately after he was elected hundreds of thousands of new jobs would be created. What we see instead, through having Conservatives in Ottawa and in Ontario, is that we lose jobs. No jobs are being created.

While all of this turmoil was going on in Barrie, while these closures were announced, where was the Solicitor General? He was in Los Angeles at some convention. It was also stated in a news article dated October 17, 1984, "Taylor ponders leadership bid."

Mr. Speaker: Your time has expired. Order.

Mr. Mancini: His future—

Mr. Speaker: Order.

Hon. Mr. Ramsay: Mr. Speaker, the government does not intend to oppose the motion by the member for Hamilton East. In making the decision not to vote against the motion, we have considered the importance of the closure of the Barrie plant of Black and Decker Canada Ltd. to the employees affected and to the community of Barrie. In addition, I believe the debate provides an opportunity for the government to describe the programs and activities that are available to address difficult matters of this sort.

In rising to indicate the government's position, I do not wish to be taken in any way to be concurring with the suggestion contained in the motion that there has been a failure on the part of the government to take appropriate action to do everything within its power to protect the jobs of

the workers and the community's economic base.

As I indicated in the House last week, I was frankly not satisfied with the information and explanation originally provided to me by the Black and Decker officials and, thanks to the assistance of my colleague the member for Simcoe Centre (Mr. G. W. Taylor), I have been able to arrange a further meeting with representatives from the international corporation in the United States as well as the Canadian president.

In attendance at that meeting will be representatives of the union. I also I extended an invitation to representatives of the two opposition caucuses, and that invitation still stands. Also in attendance, I trust and hope, will be the federal member and the mayor of Barrie. That meeting will be held at 1:30 p.m., Friday, November 30, in my office and will go on as long as is necessary. At that time a full presentation will be made on the reasons for the closure of this facility, and everyone in attendance will have the opportunity to question those reasons.

To say, as the resolution does, that there is not a process of public accountability in these matters is to ignore the facts. As I said in the House the other day, I rarely encounter difficulty in obtaining full disclosure by company officials concerning the reasons that lead to decisions of this sort.

This is not to say that I am always totally satisfied with the explanations given, at least in the first instance. In a case where the reasons are incomplete or unsatisfactory, they are rigorously pursued by my officials and me and, as I said, almost invariably full economic and financial explanations are forthcoming. When received, they are then assessed not only by my officials and me but also by my colleague the Minister of Industry and Trade (Mr. F. S. Miller) and his officials.

These assessments include the examination of alternatives, such as maintaining the operation, the feasibility of the sale of the operation as a going concern with a view to maintaining employment and, where all else fails, the implementation of appropriate adjustment measures.

In short, while we are not opposing the debate of this motion, we will be taking the position that Ontario takes second place to no other North American jurisdiction in the adequacy of its laws and administrative arrangements in dealing with plant closures.

One of the difficulties faced by any of us in dealing with decisions of this sort is that no

matter how adequate the arrangements, closures necessarily result in loss and hardship for those directly affected and, indeed, for others whose jobs depend on the activities of the enterprise in question. No laws or policies can totally eliminate this hardship, and often the most that can be done is to soften the effect.

As I will contend during the course of the debate that will follow, I believe the steps we have taken, both administratively and legislatively in this area generally and in the case of Black and Decker particularly, represent an active and thorough response to an extremely unfortunate situation.

Finally, without wishing to hold out any false hopes, I would like to say that I have not given up on this situation and I hope that, as a result of my meeting on November 30, more can be done to protect the interests of the affected workers.

Mr. Speaker: Before putting the question to the House, I would like to draw the attention of the House to the form of the motion itself. In my opinion it would have been proper for the motion to stop at the end of the word "community." The rest of the motion actually deals with the argument, which would better be heard, perhaps, at a later period.

Is it the pleasure of the House that the motion carry?

Motion agreed to.

Mr. Speaker: The debate will proceed.

3:40 p.m.

PLANT SHUTDOWN

Mr. Rae: Mr. Speaker, I appreciate the chance to speak today and I thank my colleague the member for Hamilton East (Mr. Mackenzie) for allowing me to speak first. I have some urgent and pressing personal business to attend to at a hospital and I appreciate being allowed to speak in the debate before that happens.

I want to say a very few words in this debate because it is one of real importance to the people in Ontario and what is happening here.

When I asked the minister a question about this, I made a comparison I want to make again in opening my remarks. If a management employee, or indeed any employee, was to be fired individually, that employee would have rights either at common law or under a collective agreement. Those rights for just cause would require the employer to produce evidence as to why that individual employee should be fired. Under a collective agreement, it would go to arbitration. In the case of common law, there would be a suit. Ultimately, there would have to

be compensation from the employer if it was found that individual had been dismissed without cause.

With the number of plant closures in the province, what I find contradictory, very unfair and completely inappropriate is that when a whole plant is closed down—not just one individual being fired—the people working in that plant have very little legal protection in this province or indeed anywhere else.

I know the minister is going to say we are doing more than all the other jurisdictions. Just because the Reaganites in the United States are not prepared to deal with the problem of the runaway plant does not mean we should be putting our heads in the sand in Canada and failing to deal with the same problem.

We have a special problem here. Our industrial base is being eroded, and the minister knows it. With the announcement made last week, he knows perfectly well there are many communities in the north that are afraid because of the continuing decline in metal prices and because there is no corporate accountability by these multinational corporations. There is a real problem.

In the south we have a great many firms, of which Canadian General Electric and Black and Decker are just two, that have been here for 50 years or 100 years and are deciding to close because they have failed to respond to changing world conditions and markets. This poses an enormous threat to the very basic rights workers have to be informed fully, to be told what is going on and to have a measure of protection for the most important investment they have, their jobs.

Our legal system does less to protect job security than to protect any other property right that exists. If a government wants to put a highway through a person's house, it has to provide compensation under the Expropriations Act for that house. If somebody's job is expropriated, however, apparently there are no requirements in the legal system to respond. That amounts to expropriation without compensation. Even more serious, not only is it without compensation it is without any kind of justification.

We have now reached a stage at which it is no longer acceptable in Ontario that a group of workers have fewer rights than one worker has. If it is good enough for one worker, whether an executive or an employee making \$4 an hour at a nonunion, unorganized plant, to be able to take his employer to court and get compensation and a justification, even if it is only to small claims

court or a county court in some instances, that same right ought to apply to each and every worker in a group that is being fired as a group. It seems to me a worker should have just as many rights if he is being fired as part of a group as he would if he is being fired individually. That does not happen.

The minister himself has indicated he is not satisfied with the information he has received from the company. I am not satisfied with the information I have received from the company. The facts are very disturbing. I am sure the minister is aware of them.

I remember the first time I was involved with this plant. That was when it sent out steam irons to Singapore. I see the Solicitor General (Mr. G. W. Taylor) is here. He will remember that time. He will remember the CGE plant in Barrie used to make a whole range of household items and each one was sent offshore. The last one sent offshore that I can recall was the steam iron.

When they got rid of the steam iron line, I went and talked to the company and the workers. We were told, "This is the last time we are going to do this because we really want to focus on what we can do well. We are going to get the world product mandate for skillets and we are going to continue to focus on the lawn mower line. If we focus on those two lines in the Barrie plant"—I can remember this conversation as if it were yesterday—"and get the world product mandate, then everything is going to be okay."

The global product mandate—this was the line. We have had that line from the Minister of Industry and Trade (Mr. F. S. Miller). I can remember it from when I was in Ottawa. The Tories and Liberals up there were saying, "The answer to the problem of the multinational is to get the world product mandate."

They got the world product mandate for skillets and they still have it, but apparently it did not work the wonders it was supposed to. They had a 700 per cent increase in international sales of skillets. It went from 30,000 units in 1978 to about 250,000 in 1983. According to the company itself, when it was CGE, "In the next two or three years, we intend to push that figure beyond the 500,000-mark."

Going on to talk about its business, CGE said in one of its annual reports: "By having access to a world market, CGE could justify the multi-million-dollar investment required to redesign and relaunch the skillet. We had to gear up and automate for long production runs, and securing the mandate was the first step. Part of the capital investment was financed by a \$1-million interest-

free loan provided by the Ontario Development Corp."

This is a company, in this great free enterprise system the Tories keep crowing about, which managed to get an interest-free loan. Boy, a lot of small business people out there would like to get that kind of a loan. A lot of my constituents would like to get that kind of loan, but they did not. In return for that loan, CGE sells its business to Black and Decker, a sale approved by the Foreign Investment Review Agency.

The provincial government would have been involved in that approval because FIRA would have asked its opinion—it is in the FIRA legislation—and the government would have given it. We can only assume, because we have not heard otherwise, it approved the sale of CGE to Black and Decker.

Then Black and Decker turns around and says it is closing. Not only does it say it is closing in Barrie, it says the plant had not been profitable for years. It said it had been losing money for several years. However, according to the form GE had to file with the US Securities and Exchange Commission for 1983 when it was still CGE, the Canadian housewares division was reported as having a pre-tax profit of \$6.6 million.

There is a question here of government protection and also of corporate honesty. How does the government expect any worker to have any faith in what a company tells him? If one reads through the history of this plant in Barrie, one will see plant manager after company executive telling the workers: "You are doing a great job. This thing is going but the next thing is going to be great." As recently as only a few months before announcing the closure, they were saying: "Everything is just fine. It is all hunky-dory."

I think this raises basic questions. As I said at the beginning, there is a basic question about the protection ordinary workers have in this province against these kinds of decisions and measures taken by companies. We should be taking legal measures to give workers some kind of stake and some kind of right they do not have today.

It should not be a question of the Minister of Labour (Mr. Ramsay) going on his hands and knees to Black and Decker and saying, "Let us have an open session on this," and Black and Decker replying, "These are all the reasons we are moving." We have no way of challenging or getting at that information. The minister cannot subpoena documents. He has no power to get into the records. He cannot go back two and three

years. He cannot go after the intercorporate memos. He cannot do any of the things that would be available to people in legal proceedings.

3:50 p.m.

It also raises the question, and I think this is fundamental, of what it means to be a corporate citizen. Clearly, it does not mean an awful lot to Black and Decker or CGE when it made its decision to sell this, knowing what the implications might be. It is not acceptable any more for workers to be left as vulnerable and defenseless as they are in the face of these kinds of corporate decisions. We need a government to protect those people.

Hon. G. W. Taylor: Mr. Speaker, I rise to join the debate on this issue, about which I am probably more concerned than any other member in this Legislature. I know their words express concern and I know the member for York South (Mr. Rae) has visited the riding. I find, however, that honourable members from time to time visit all ridings and express their concern, but I see no greater concern from them than that which the members on this side offer, the local member and the Minister of Labour. He sees these closures all too frequently, as he has said, and he is trying to resolve the problem in such a way as to prevent them in the future and prevent all those things we know are attendant on these matters.

I served for a brief period on the select committee on plant shutdowns and employee adjustment, along with my friend the member for Armourdale (Mr. McCaffrey), who was the chairman. We did learn a great deal about that problem. When that committee was working we came out with an interim report. I am not so sure, had it continued, whether we would be any more knowledgeable, except about the hardships closures bring. Whether there would have been any solutions that would have been palatable to the government or to the community is not known. I do not know whether, having read all the available literature on it—

Mr. Laughren: If the minister is concerned, he should do something about it.

The Acting Speaker (Mr. Cousens): Order.

Hon. G. W. Taylor: I say to the member, who speaks platitudes such as we are told we are always speaking over here, my Minister of Labour has worked on this problem. The member has heard the minister say we are having a meeting, as we did with the other ones. Possibly nothing may come from it, but the workers know

we are endeavouring as best we can to solve the matter.

We are not doing it the way the members opposite would, which would be the death knell for many industries in this province. They would set themselves up as the jurors to decide whether a company would continue or not continue in a particular place. They have no greater wisdom as to whether the company could or could not stay in business.

One has to know what these people are suffering and contemplate their suffering. The members opposite do not know. These are people who work in all areas of the community. When I hear the honourable members—

Interjections.

The Acting Speaker: Would the honourable members who are interrupting please refrain from doing so. There is a time allotment and each member is allowed 10 minutes. You are interrupting and dispersing thoughts.

Hon. G. W. Taylor: They always do. I remember one very vivid instance, and the people of Barrie remember how helpful the members in the New Democratic Party happened to be at Christmas time when CGE has its biggest sales. Who made the official announcement that one package happened to come from offshore? They certainly were not concerned at that time about all the workers in Barrie and jobs in Barrie when sales dropped. I think when they are talking about altruism and concern, they ought to reflect on what they have done over periods of time, particularly to the workers in that plant.

Mr. Laughren: Mr. Speaker, on a point of personal privilege: The minister—I am waiting for him to take his seat—has implied we had something to do with the sales of a product made in Barrie. What we did at that time was show there was misrepresentation on the part of the company about where the product was made. The minister is doing nothing less than misleading the members of this House with that kind of stupid statement.

Mr. Mackenzie: He knows, or should know better, or he does not give a damn.

Mr. Laughren: I am getting tired of this.

The Acting Speaker: Order. I am getting tired of the interruptions.

Hon. G. W. Taylor: The facts speak for themselves. The workers know what they did at that particular time. They know what the New Democratic Party stood for at that time in loss of sales and jobs.

Mr. Laughren: We stand for honesty. You wanted to let them—

The Acting Speaker: Order. I have given the honourable member many warnings. Please refrain from interrupting.

Hon. Mr. Ramsay: Mr. Speaker, on a point of privilege: I would appeal to the fairness of the members opposite to hear the member for Simcoe Centre (Mr. G. W. Taylor) out for two reasons. One is that he is the member for that area, and this is a very depressing circumstance for him. The second is that he got out of his sickbed today in order to come here. He has laryngitis and is having great difficulty in speaking as it is; so at least give him the opportunity.

Mr. Martel: Tell him to be factual.

Hon. Mr. Ramsay: When I get back up, heckle me all you want, but please let him finish.

Hon. G. W. Taylor: I thank my colleague very much for intervening on my behalf. However, I am sure all the interjections and comments they make will not be reviewed in any greater light by the people of Barrie than they are by my colleagues here. I do not want to be provocative. However, the honourable members do provoke, and that is consistent with their style.

Let us look at what this particular matter means and what we are looking forward to in this forthcoming meeting. I am sure that wild words and accusations will not assist the forthcoming meeting the Minister of Labour has planned. The members of the executive of the union and the members belonging to that union want to approach and have approached this matter from the very beginning in a very concerned and very intelligent way in trying to do the best both for the workers and for their community.

The executive there are people of the community. I know these people from their other activities. My family plays sports with them. I have known them. I know what this means to a community. We are trying to resolve a problem. We have had other pluses in that community with the Volkswagen plant coming there, the Honda plant and the Hayes-Dana plant. These are matters that this government has tried to look at in a positive way, just as we will try to look at this in a positive way.

Like the Minister of Labour, I am not satisfied with all the information that is currently there. There does appear to be some conflicting material in what is being put forward, but we have to look at the matter in a very intelligent,

reasoned way. I do not think that accusations will in any way enable this plant to continue there. I think we have to approach it in a very responsible manner.

I heard the Liberal member get up and immediately start attacking me personally. I remember how we bailed out the member's area, with no help from that particular member. I remember the Treasurer (Mr. Grossman) and the Premier (Mr. Davis) going to help out Chrysler and saving that particular matter. When I hear the comments by the member for Essex South (Mr. Mancini), how quick he is to challenge and attack personally the members on this side, I do not think that helps the problem in Barrie at all. It is possible the members opposite may even have some good ideas to help assist this matter; I am not so sure. So far I have not heard any conversation from them that would in any way assist the problem in Barrie and those workers in Barrie.

4 p.m.

I hope when management arrives at this meeting it can explain further. Maybe they will change their minds. I hope they will. Perhaps the workers can put forward their case in a little more precise manner about how this is affecting them. I have heard the Treasurer say he is not satisfied with the way the current legislation is or the notice. Maybe we all are not. Maybe this is an opportunity to improve on that legislation without just making derogatory remarks about the individual member who represents a riding or about the present legislation of the government. Besides the cackling they seem to do on all these occasions, they put forward no ideas that are beneficial to the individual workers of that community.

Mr. Mancini: Mr. Speaker, let me say immediately that in no way did I personally attack the member for Simcoe Centre during my opening five minutes of remarks. All I said was that during the three provincial campaigns I have run, not only in my riding but also in ridings all over Ontario, the favourite slogan of that party was: "Elect a Conservative member. Elect a member on the government side of the House."

I am pinpointing today the fact that we have not only a Conservative member but also a cabinet member who is seeing his community being stabbed in the heart because the second largest employer is closing. I pointed out also that the Minister of Health (Mr. Norton) had a large plant closure in his community.

I say the slogan the Conservatives have used in the past, and will use in the future, "Elect a

Conservative member, a member on the government side of the House, and everything will be wonderful," is not true. We should expose it for exactly what it is: nothing but political dogma.

Hon. G. W. Taylor: On a point of privilege, Mr. Speaker—

Mr. Mancini: I did not interrupt the member for Simcoe Centre.

Hon. G. W. Taylor: The member did what?

Mr. Mancini: I did not interrupt the minister.

Hon. G. W. Taylor: I think the rules allow for an interruption on a point of privilege. I did say in my text that the member personally attacked me. Indeed, he did. In fact, he has just again attributed words to me as a government member that I have never used in an election. Further on, he did say I had done nothing for the riding in this matter. Indeed, I have. To attack in that way is not in any way becoming of that member.

Mr. Mancini: Mr. Speaker, why was the time not running out when the member was up on his feet on a purported point of personal privilege?

The Acting Speaker (Mr. Cousens): The clocks never stop.

Mr. Mancini: Those are exactly the facts as they are.

I know it is tough when one has large closures in one's own community. A couple of years ago Bob-Lo Island, which was the biggest summer employer not only in Essex county but also in Windsor, because it employs 600 people, went into receivership in the United States. I asked this government for assistance to find a buyer for Bob-Lo Island. I had to fly to Florida at my own expense to meet with certain officials to find a buyer for Bob-Lo Island.

I say to the member for Simcoe Centre, when we have these big closures they are tough and they hurt, but the facts have to be put on the record. It is nothing personal against the minister. They are the slogans that his party uses every election campaign. I will send him a slogan during the next election, which we expect within the next few months.

I want to respond to the Minister of Labour, who said a meeting is being convened on Friday with officials from the management team to discuss what can be done over this announced closure.

I want to read a statement from the *Barrie Banner* of October 10, 1984, as follows: "There is no possibility that Black and Decker will reverse its decision to close down its Barrie plant, said general manager Ken Lyons...."

I do not know whether the Minister of Labour has met with Mr. Lyons, but this is a public statement that has been recorded. I am sure he is aware of it, and the Solicitor General is also aware of it.

I am not sure exactly what the minister is going to discuss at his meeting on Friday, but the first thing he has to discuss is the \$1-million, interest-free loan that was given to Canadian General Electric. He should see if we can recoup that money. The second thing he will have to discuss—

Hon. G. W. Taylor: The member should not be at the meeting. He is too negative. We do not want his lack of positivism.

Mr. Mancini: I am putting forward proposals. We have to get back the money we gave to this giant corporation because it was going to build in a part of this province, in a part of the minister's community. It reneged. We want the money back.

Second, we have to know what Foreign Investment Review Agency arrangements were made. In that regard, I have to say hypocrisy knows no bounds. The minister knows as well as every member in this House knows that when in opposition in Ottawa the Conservative Party talked about dismantling FIRA because FIRA got in the way of business.

Mr. Wrye: That is what they are still saying too.

Mr. Mancini: These people say the same thing, that is true, as my friend the member for Windsor-Sandwich says. FIRA stops business, creates all kinds of problems and so on. Hypocrisy knows no bounds.

I wish to quote from the same paper I quoted earlier. It is a statement that was made on November 7, 1984. I will quote the whole thing:

"The federal government's Foreign Investment Review Agency should have rejected Black and Decker's bid to take over Canadian General Electric's housewares division, says MP Ron Stewart (PC, Simcoe South)."

The same people who say we should not have a FIRA are now the same people who are saying it should be tougher. What hypocrisy. This Mr. Stewart goes on to say:

"This is a case where FIRA could have been effective but was not and it is sad for Barrie. We may have lost some other company that would have been better for Canada."

How can the minister sit there and allow his federal colleague to say that when he himself knows and all members in this House know they

would not have any kind of examination of funds being invested in this country?

What we have here is one giant multinational corporation buying out a portion of another giant multinational corporation; and yes, they are going to rationalize, absolutely. They are going to close a plant here in Ontario, in Barrie, which is represented by a Progressive Conservative cabinet minister.

The closure will cause the loss of 600 jobs and part of the operation, but by no stretch of the imagination will a lot of the operation be relocated to some other part of Ontario. The same things we now manufacture here will be manufactured outside Canada and will be brought in because there are no manufacturers of that product here in Canada. We will be importing something we could manufacture right here in Ontario.

I understand the sad feelings of the member for Simcoe Centre; I went through it myself. He can do a lot on a personal basis to try to resolve what has happened, because he has the support of the whole government of Ontario and its \$24 billion budget. I did not.

It is not enough for us to sit here and listen from the other side to how concerned they are. We noticed their concern on March 19, 1981, when it was repeated to us by the Premier (Mr. Davis) after he abolished the select committee on plant shutdowns and employee adjustment. He told the members of the opposition, "That is one of the realities of March 19."

I say to the member for Simcoe Centre, this is one of the realities of March 19. We could have worked on that committee. We would not have resolved all the problems, we would not have had all the answers, that is true, but we would have written a report. The report would have been tabled, it would have been offered to the government for assistance and it might have been used in this particular case, who knows? Yet we were blocked from doing our legislative duty by a majority Conservative government that reminded us it was a reality of the last election campaign.

I again reject the criticism of the member for Simcoe Centre that I am attacking him personally, because I am not. If he rereads the record, it will show I am not.

4:10 p.m.

I am a bit concerned. I went through just about every news article from the Barrie Examiner and the Barrie Banner, and I do not think I found more than one area in which the member was quoted. I believe I saw one statement he made

from Los Angeles in which he said, "We are going to try to retrain these people through Georgian College." I did see two or three articles about the intentions of the member for Simcoe Centre to run for the leadership. I saw an article on November 7 which had a nice picture of the member planting a bicentennial tree.

The Acting Speaker: I thank the member, whose time has expired.

Mr. Mancini: I am sorry my time has run out, Mr. Speaker. Thank you for your patience.

Interjection.

Mr. Mancini: I went through it. I did not have any help like the minister had.

Hon. G. W. Taylor: Do not resort to personal attacks.

The Acting Speaker: Order, please.

Mr. Mackenzie: Mr. Speaker, it is difficult not to attack people personally, although I understand we should not. We try not to, but I have a little bit of a—

Mr. Harris: We expect it from the member opposite.

Mr. Mackenzie: We do not expect action from the government side and it is obvious we are not getting it.

The member for Simcoe Centre is really feeling his neck when he has to resort to an appeal such as, "Do not attack me personally" and a question such as, "What are you people doing?" The example he used was garbage. As the minister well knows, what we did in this House was point out a dishonest misrepresentation that was and is going on in plants all over Ontario where they bring in materials and indicate the products are manufactured here.

Hon. G. W. Taylor: The members opposite were not concerned about those workers. They are never concerned about the workers.

Mr. Mackenzie: This is one of the things that is wrong with what is happening in Ontario. The member for Simcoe Centre has not got the guts to stand up and say so.

Hon. G. W. Taylor: The member for Hamilton East has not got the guts himself. As a union leader, he has never been concerned about the workers.

The Acting Speaker: Order.

Mr. Mackenzie: He would rather cry: "Oh, do not attack me. You are hurting me." He will not do a damned thing about the workers in his riding.

Hon. G. W. Taylor: The member for Hamilton East is never concerned about the workers.

The Acting Speaker: I ask the member for Simcoe Centre to be quiet.

Mr. Mackenzie: The member for Simcoe Centre is not worth talking to any further.

I will say something else that comes back to the Minister of Labour. I acknowledge, as I have done publicly at a meeting where I followed him recently when we were speaking to one of the conventions in Ontario, that he means well, that he tries hard, that he is in his office at seven in the mornings and all the rest of it, but I have to say that is not good enough.

We now have a meeting scheduled for November 30. I do not disagree with it, but forgive my cynicism—I will ask forgiveness for that—we did the same thing with Consolidated-Bathurst and the company would not begin to give the workers even a chance to put together a package if they had wanted to.

I sat in at that meeting, as the mayor and officials of Hamilton did, and as the Minister of Labour did. What did the president of Consolidated-Bathurst, Mr. Stangeland, say to us? He was asked why he would not consider selling the plant to some of the workers if they could put together a package. I want to remind the members in this House of his answer: "Imperial Oil would not sell a good choice corner lot to Texaco. Why should we have the competition?" That is what the minister is defending. That is his private enterprise system. The company would not even consider the workers putting in an offer on that plant.

Incidentally, those particular questions came from me, from one of the Liberal members who was sitting in at that meeting and from the mayor of Hamilton and the regional chairman of Hamilton-Wentworth. We found out only at that meeting who they were selling the plant to. Apparently, even the minister did not know before the meeting to whom they were selling the property and plant.

Mr. Stangeland made it very clear. He was asked if he would consider as part of the terms of selling that operation an appeal that the firm buying the plant take care of some of the workers, all of whom had more than 21 years of service in the plant. What did we get from the president of the container division of Consolidated-Bathurst? We got the observation that his company would not appreciate anybody telling it whom to hire, so it did not intend to tell anybody else whom to hire. Incidentally, the company would not even have the unions sit in at that meeting, as the minister well knows.

We did not get a heck of a lot more, although we did not have such outstanding and hypocritical comments from management as we got in that case, when we dealt with Allen and some of the other firms. So forgive my cynicism. What are they going to tell the minister this time? How tough is he going to be on the company in his questions? The tough questions were not coming from the Minister of Labour at that meeting.

I say to the Minister of Labour and to the cabinet minister who says they are doing what they can and we are attacking him and this is wrong, they have to understand that both of them are cabinet ministers in this government and that if they are cabinet ministers they are supposed—as I understand it; maybe I am totally wrong—they are supposed to represent policy and have some input into policy. Some of that policy surely should be to protect workers when they are losing their jobs right, left, and centre in Ontario. It is not good enough to say, "We are going to call them to another meeting and say, 'Please, boys.'" We have corporate milking going on here.

In the SKF case, from the evidence before our select committee on plant closures, it became clear that over a five-year period they transferred things out. First, it was the small bearing assembly section, the big money-maker in the plant in Scarborough. Then they started to replace that with the less profitable large ball bearing assembly operation in which they were not manufacturing. Then they got into nothing but the repair assemblies, which were less profitable still, and set the stage all along the way for saying, "We are finally going to close this plant." We lost 250 or 270 workers in SKF.

In this Black and Decker plant it is pretty obvious. There were 27 product lines a short 10 years ago. Now there are only seven product lines left, including the successful skillet line. All of them were shuffled offshore. Now those same products and 70 per cent of the housewares purchased in this country are coming in from Singapore, Mexico, the United States, Taiwan and Brazil.

In the case of Allen Industries we pointed it out. That company lied to us about what they were doing with the machinery and what would happen when they moved to the Mexican plant. They shipped the production there at about \$1 an hour, down from \$10 a hour. The only thing this government seems to approve is the few jobs going from Barrie to Brockville. I guess that is because they are going to be paying \$2.50 an

hour less because that is not an organized plant. Is that part of it? Is that part of the policy we are now into in this province—deliberately downgrading the wages? It sure as blazes looks like it.

We cannot let them mislead people by saying stuff is being manufactured here when it is not. We have to look at the fact that branch plant after branch plant is closing and the production is going out of this province and out of this country, and this government is not doing a darned thing about it.

When we do meet with them the tough questions do not come from the minister. If we are invited to the meetings, and I understand we have been invited again this time, as we certainly were in the Consolidated-Bathurst case, the tough questions do not come from the minister and his staff but from some of the rest of us who are at that meeting.

The answers we got in the Consolidated-Bathurst case were sickening. What was the best response in this House? That really tells the tale, and it tells why I am such a cynic and getting so damned mad about what is happening to workers. I think the then Minister of Industry and Trade was the current Provincial Secretary for Justice (Mr. Walker), who is in the House; he can tell me if I am wrong.

The very day after that meeting, when we asked what the government thought of the kinds of answers we got from Mr. Stangeland, the president of Consolidated-Bathurst, what response did we get? He said, "They are not the best corporate citizens." I think that is what can be found in Hansard and what I heard him say. But we did not see the minister who was at that meeting, or anybody else, do a darned thing about that case.

One begins to wonder what is the use of talking? They are so bloody committed to private enterprise, to the rights of these offshore corporations and to the branch plant philosophy. They are down on their knees begging so often and so hard for their money. They are being played for such complete suckers, but it does not seem to matter. The losers in every single case, and there have been so many over the past few weeks that it should hurt every member in this House, are the workers and their communities.

While we are increasing our imports, I am wondering, what happens to our balance of trade in consequence of this kind of situation? How long can we continue either downgrading wages or bringing in the imports and losing the plants here? When is it going to get through to people on that side of the House that just maybe they have

some responsibility? They are building up a case for which we will pay one terrible price in this province and country. We are already paying it but it is going to get worse, and it continues.

4:20 p.m.

Very shortly in this House, I hope, we will be talking about the Griffith mine closure. We shut down Marmoraton in 1978; Steep Rock in 1978-79; National Steel Corp. at Capreol, 1979; Inco's iron ore recovery plant at Capreol, 1980; the termination of the Steep Rock Resources Bending Lake development project in 1983. Now in 1984 there is the shutdown of Griffith mine by Stelco Inc., with the number of mine workers declining from 3,772 to 1,716, a decline of 55 per cent.

Our production has dropped from 10.3 million to 3.7 million tons, but our imports are up to 4,448,352 tons. We are replacing our entire productive capacity here with imports and we are losing the jobs along the way. Yet these two ministers tell us that somehow or other we are attacking them personally. Are they or are they not cabinet ministers and part of it? Is this government going to come up with some policy that starts to protect workers in Ontario? They are not doing it now.

Mr. McLean: Mr. Speaker, the closing of any plant or place of business anywhere in Ontario is of importance to the employees who are mostly involved in such a sad event. When the closure involves one of the largest employers in a town or city, then the impact is so much greater. Not only are the employees and their families affected, but the entire local and regional economies are affected as well.

According to some reports, the Barrie area stands to lose some \$30 million in wages. As members here over the last few years, a number of us have faced situations in our constituencies where partial closures or outright shutdowns have taken place. We all have to ask ourselves: "Is there any more we could do to stop it? Can the provincial government help? Could employers or unions have done something to prevent such an occurrence or to make it easier?"

Having gone through such a process in Simcoe East myself, I can state there is no easy way to close or partially close a plant. It is a very sensitive matter that deeply affects employees, particularly those who have worked in a plant for many years. I do not believe anyone in management is the ogre the New Democratic Party would like to portray. It is a difficult decision at the management level as well, and in my

experience a decision that is required by market and business forces.

The opposition and others can, and should at times, question whether a decision is in fact based on valid business reasons. They are perfectly within their right to do so and make the public aware of any factual information that is revealed. They have had that opportunity in the past and do today. If the public feels the employer has acted improperly, it can make its weight felt.

I am not an expert on the issue, as others think they are, but I have kept up with it and know what is taking place at Barrie. It is not too far from my own riding and I believe my constituents will also suffer some of the economic fallout from the closing. I believe the Minister of Labour and the government have done a great deal to try to prevent the closure from occurring and to minimize its impact. If today's debate does not shed any new light on this topic—and I do not think it will—there will still be much more work for the government to do, long after the third party will have forgotten Black and Decker.

As I mentioned earlier, I have experienced a substantial closing in my riding, namely the RCA Inc. picture tube plant in Midland. When that occurred in July 1982, I set out to find a way to keep the plant open and to save the jobs of the workers there. We had meetings with the mayor, the chairman and president of RCA, and Ministry of Industry and Trade officers and consultants. We also had representatives of the federal government, the Ministry of Labour, the president of the Midland chamber of commerce and Midland's development commissioner.

As a result of that meeting, I learned what a challenge it would be to keep the RCA plant open. The picture tube market is highly competitive, with Japan being the major contender. Because the Canadian domestic market for picture tubes is so small, anyone who took over the RCA plant would have to rely on a reliable export market.

By the fall it was apparent that only two companies were interested in the RCA plant, Mitsubishi and Toshiba, both of Japan. The Ministry of Industry and Trade made it clear to both buyers that the Ontario government was not interested in helping anyone purchase the plant only to see it close in another five years because it was uncompetitive. Whoever was to buy the RCA plant had to respond to improve and expand production in Midland.

Only Mitsubishi was willing to live up to these demands. It was willing to reopen the Midland

plant, improve its facilities and explore an expansion of operations. The announcement that Mitsubishi would reopen the plant took place in July 1983.

However, Mitsubishi was also going to be cautious about its new purchase, which explains why jobs for only 240 employees were initially offered in comparison to the 600 who were employed when the plant closed in December 1982. What Mitsubishi intended to do was to create 595 permanent jobs in Midland by 1988.

The company will be exporting picture tubes to its operations overseas to the tune of an expected \$210 million over five years. In addition, it will explore expanding facilities in Midland to produce such diversified products as videocassette recorders, automobile radios, industrial electronic devices and perhaps compressors.

Today, Mitsubishi has hired ahead of its projected schedule and more than 500 employees are back at that plant. While these jobs will make only a modest dent in Midland's unemployment rate, they signal the beginning of the rejuvenation of Midland as a technological centre and have the potential of bringing more technology production to our area.

For the town of Midland, the reopening of the RCA plant will mean a boost to local tax revenue. City councillors will also have more money to plan projects to encourage new investment as well as to meet the needs of the jobless.

Finally, the new jobs will bring new money into the community that will have a good impact on service industries, stores and restaurants. People who have money will spend it, and this in turn will mean jobs for others.

Throughout the period of looking for a buyer for the RCA plant and the negotiations with Mitsubishi, I was continually impressed with the dedication and professionalism of the former Minister of Industry and Trade, now the Provincial Secretary for Justice, and his staff. I was in contact with the ministry continually on this question and was kept fully informed as the agreement with Mitsubishi progressed.

By starting prudently, Mitsubishi is assuring that it will keep its end of the bargain and maintain the picture tube plant in operation. As a world leader in electronics, Mitsubishi is a strong economic force. Its reputation for excellence should bring increased business to the Midland plant and eventually result in more jobs and investment.

I do not believe the Midland situation to be all that different from that of Black and Decker in

Barrie. We can play a role in perhaps finding someone to take over the facilities in Barrie and rehire the workers. My own experience with the Ministry of Industry and Trade has led me to believe we can often succeed.

I would like to point out to my colleagues that I have submitted a resolution for debate during private members' hour on December 6. Barring any emergency debates that might arise on that day, I hope to discuss the positive efforts government can make as opposed to the so-called public justification and inquisition the New Democratic Party has called for. I do not believe any so-called public accountability hearings would do anything else other than prejudice any chance for good employer-employee relations during a stressful time.

4:30 p.m.

I would like to read my motion into the record:

"That this House urges the Board of Industrial Leadership and Development, in co-operation with the Ministry of Industry and Trade, to examine the creation of special initiatives to encourage the growth of manufacturing and industrial investment in municipalities with a population of less than 50,000 in order to diversify local economies; and that there be incentives for communities that have had recent or pending plant closings, such as Barrie (Black and Decker) and Midland (RCA)."

I believe that finding an employer who wants to be there is preferable by far to the justification measures proposed by the New Democratic Party, and I believe that my proposal is far better than theirs.

I have sat here this afternoon and listened to the speeches from the opposition members and yet I have not heard any constructive ideas on how Black and Decker will remain in Barrie.

Mr. O'Neil: Mr. Speaker, first of all might I say that last week we were approached by some of the people from Black and Decker about this closure. We met with Mr. Jim Hamilton, who represented the union. He met not only with me but also with members of our caucus and with our leader in regard to this very pressing problem Barrie is facing.

I, along with some of my colleagues, served on the plant closures committee a few years back. We heard at that time many of the experiences at some of these different factories and the hardships workers had experienced because of the closure of their plants. I am just sorry the committee was not allowed to go forward, have further hearings, listen to some other details and

possibly come up with suggestions about how we could avert what has happened in Barrie.

I think the member for Simcoe East (Mr. McLean) made a good point in that today we have sort of been harassing each other back and forth and talking about things that have happened instead of coming up with concrete ideas and looking for details concerning how we can keep this plant open.

I have real doubts about the timing of this closure and I think the member from that area and the Minister of Labour, as well as perhaps all members of this Legislature, are also concerned. When we look at the fact that the company was purchased in April 1984 and that approximately five and half months later Black and Decker decided to close it and move some of its production to Brockville, there are likely to be a lot of doubts in the mind not only of the minister from that area but also in the mind of the Minister of Labour and of many of the other members in this House. It was purchased only five and a half months ago. Why has the company now decided to close that plant?

Many other points have been raised, such as moving its production to a nonunion plant and cutting its production lines. Are those production lines being moved to the United States? Have some of them already been moved? Are they phasing out Canadian and Ontario workers to give jobs back to the US? I think these are questions that have to be asked.

Speaking to the minister who is here representing the area, I wonder if it is a useless effort to have the meeting he has called for November 30 to take all the parties involved into a situation like that. I have been involved in closures in my riding and I wonder if we should not somehow say to the company before that meeting, "We want you to supply us with the facts of why you are closing, right down to the finest detail."

I do not mean what they have already supplied us, but answers to the questions that are being asked not only by people like the minister himself but also by members of the opposition, the people of the city and the union members. They should be required to give some of those answers before they go to that meeting so those answers can be checked out before the meeting.

Too many times when we attend a meeting the facts are thrown out, there are disagreements and there are no real answers except to say, "We are standing behind our decision to close that plant." I would ask the minister from that area to speak to the Minister of Labour, have a prior meeting with that company and maybe collect some of the

details on the questions that have been asked by all parties. Demand to have some answers to questions such as: "Why did you buy the company five and a half months ago? What lines are you moving there? How many people are you going to be releasing? How many of these lines are you planning to move back to the states? How many have you already moved back there? What are your future plans?"

Everything seems very suspicious, with the moves and the timing of the Black and Decker purchase of that CGE plant in Barrie.

I would say again that rather than fighting among ourselves and placing blame in different areas, we may have to make a real, concerted effort to get some of this information and we have to get it right away. The announcement was made more than a month ago that the plant was going to be closed in early 1985. There are a lot of questions that have not been answered.

The minister from the area and the Minister of Labour are really in the hot seat on this because it is very important to that city and the surrounding area. I think some of these hard questions have to be posed to that company prior to this meeting; I think those answers have to be shared with a lot of other people so they will have additional questions from their own side before the general meeting.

I would ask for co-operation from all members on this because it is a concern to all of us. Our concern is not fighting or blaming one another, but trying to maintain those jobs in the city of Barrie.

Mr. Martel: Mr. Speaker, I am afraid I am not going to be very conciliatory. I say to my friend the Minister of Labour that he sat on a select committee a number of years ago that did not finalize its report. Let me just indicate to him some of the companies we looked at: Outboard Marine, Essex International, SKF and Bendix in Windsor.

The minister knows full well that Outboard Marine in Peterborough systematically relocated the profit-making parts of its operation to the United States and reduced the number of workers in that plant from 2,000 in 1974 to 700 by 1981. It systematically sent offshore the snowmobile production, the chainsaw division, and more recently the machine shop operation. Those closures were systematic, one after the other.

The Minister of Labour sat on that select committee and watched Bendix Automotive and SKF do the same thing. I see him, the minister from the area, almost grovelling and saying, "We are going to meet with them." They are the

government members, but they have not put anything positive forward. What have they done? They would not even allow the select committee to finish its report. We started to write that report the day the election was called in 1981 and once the election was completed, the minister let it die; he did not want answers.

Dealing with these unscrupulous companies, the workers at the time are the losers. As in Europe, we have to have some legislation in place that protects workers. The Minister of Labour knows precisely the type of legislation we are talking about. SKF in Sweden could not have got away with what SKF got away with in Ontario. The Minister of Labour knows it and I know it. The company would have had to give two years' notice.

Mr. Runciman: What about Renault? That is a real example.

Mr. Martel: The Premier (Mr. Davis) took Renault right into his riding with open arms, did he not? He ran almost all the way to France to get it to bring a few jobs here. The Minister of Labour knows what I am talking about when I say that in Europe a company has to give two years' notice. I would ask the Solicitor General to tell me what else they do in Europe to protect people's jobs? I will tell the minister: there is a fund established.

Hon. G. W. Taylor: The member's friends at SKF did not help him.

Mr. Martel: Let the minister just listen. He said he wanted to learn something.

Hon. G. W. Taylor: The workers did not even tell him.

Mr. Martel: Let me not be distracted. The minister wanted a positive thing. Does the minister know what they do in Europe? They have a community adjustment fund financed on an ongoing basis by a levy against employers so that when a plant is going to shut down there is a fund from which another plant is opened.

4:40 p.m.

Does the minister want a solution? We tried to get that in 1981. It is now 1984, and the minister weeps, gnashes his teeth and teasingly says: "What lovely fellows those guys in Barrie are. There is nothing unscrupulous about them." They just do what the hell they want.

The government had from then until now to put legislation in place that had teeth in it. It could have required full disclosure to determine whether the action is warranted or not. The government does not want that either. Every time we have raised that issue over the years, the

ministers responsible for this sort of thing said: "No, you cannot do that. Nobody else does it in the United States." But all of Europe does.

Mr. Laughren: Alabama is the government's benchmark.

Mr. Martel: My colleague is right. Alabama is the government's benchmark.

I suggested to the Minister of Labour on more than one occasion another thing that as a society we should be doing; namely, determining what the costs of a plant shutdown are to the federal government, to the provincial government, to the municipality and to the individuals involved. The government would be so horrified at those costs it would never make them public. It would never deign to do it.

Tell me what it is going to cost to have 500 people thrown out on the streets. Then there is the spinoff—one and a half to two jobs for every man laid off. What are the costs going to be in unemployment insurance? What are the costs going to be in people who ultimately go on welfare? What are the costs going to be to the municipality when tax revenues go down? What is it going to mean for people who lose their homes? What is it going to mean for people who end up in hospital? We know there is a correlation between that situation and people ending up in hospital.

The government does not want that. It says, "Give us some things to work with." It will not do any of them to find out what we should be doing because the costs would be so horrendous. It would have to say to those companies: "By God, you have to stay there. You are making six per cent or seven per cent profit." In the case of this company, I guess it is \$4 million after taxes. The government would have to say to them: "We are not going to allow this turmoil to go on in a complex society. The costs are too great for the people."

When it all happens, it is we as taxpayers who ultimately pay for it. The corporation does not pay. It picks up its marbles and goes to the next town. Society picks up the costs for the people who are unemployed, on welfare or hospitalized, and for families who lose homes. I know this is happening in Sudbury and it is a disaster; but no company ever has to justify its action.

The Minister of Labour can call them in and they will come. Even the Premier jotted off a letter very quickly to Griffith Mines. But he did not do it when National Steel Corp. of Canada Ltd. closed its doors in Capreol. I guess perhaps Leo had a little input, did he?

The government wants some solutions. I will tell the Solicitor General some other solutions. We should be guaranteeing the pensions—five years vested at the most—so that those workers will not lose the contributions they have made. I remember the Premier saying in the 1981 election campaign he would introduce a select committee to look into pensions. We need pension reform. The greatest technological change in our history is occurring and the government has done nothing to protect those workers.

I can make another recommendation. When a person relocates to a plant that is nonunionized he should have the right to be unionized, to carry that right with him. Does the government want to protect them? The fastest thing that would happen is that if that company could not pay minimum wage because the union went down lock stock and barrel, it would change its mind tomorrow. It would not leave Barrie. It is running to some of the Alabamas of Ontario and those other small towns that are desperate for jobs. They will take jobs. They need them because they have massive unemployment, so the company can play around.

Perhaps the Solicitor General can respond to those six or seven ideas I have just thrown out. No, he will sit there and apologize for them. For 17 years in this House I have seen this systematic erosion of a company, this systematic undercutting; and the workers and their families are the only people who pay the price. This government has the gall to sit there and say, "We will forget about it tomorrow."

I say to the Solicitor General that it was his Premier who would not reconstitute the select committee to finish making recommendations which might have given the Minister of Labour some power to do something to prevent those plant shutdowns. The government did not want it. It could not care less. The ministers will individually get up here and cry crocodile tears, but they will not change a thing.

I remember flying to Cleveland with the then Minister of Labour when National Steel Corp. closed its doors in my home town and 225 workers were out like that, overnight. What did the government say to us? It said the same as the mining companies say to us now: "We are tied into other markets. Canada, go pound salt, because in the final analysis you really do not count. It is the corporate bucks that count."

In the case of Capreol, we added three new schools. We put in a new subdivision, a new arena, a whole series of things. The company just picked up its marbles and went home. The people

of Capreol are paying the price, while the government just sits there wringing its hands and gnashing its teeth. This government does not have the guts to do anything. That is the problem.

Mr. Runciman: Mr. Speaker, as members familiar with all the consequences of the decision by Black and Decker to close its manufacturing plant in Barrie will appreciate, I find myself in a somewhat peculiar position in this debate. On the one hand, the decision to close the Barrie plant and to consolidate operations in Brockville, which is situated in my riding of Leeds, will result in the creation of 240 production jobs in Brockville.

It is my understanding these positions will be filled in part by the 100 Brockville workers who have received layoff notices effective this month. The remaining 140 positions will be offered to production employees from the Barrie plant.

Naturally, I am pleased that the decision to consolidate the operations will generate new employment opportunities in my area. On the other hand, I sincerely regret the creation of new jobs in my riding comes at the cost of loss of employment in the riding represented by the member for Simcoe Centre. That is not the type of job creation any member in this House would want or find desirable. All members have a great deal of sympathy for the Barrie workers.

Certain allegations have been made to the effect that Black and Decker is closing its Barrie plant simply to shift production to a nonunion facility, that this consolidation is but the first step towards an eventual total pullout from Canada and Ontario. On the basis of what I have heard in this House, from reports in the press, from discussions I have had with officials from Black and Decker in Brockville and from my past experience with that firm, I would have to disagree with those charges.

I can honestly say, and I say it without fear of contradiction, in my experience Black and Decker has always been and continues to be an exemplary corporate citizen in Brockville. The company is deeply involved with and is tremendously supportive of a broad range of community activities and programs. It devotes considerable effort to its community relations programs.

I found the company has always dealt with me, its employees and the people of Brockville in good faith and in a very straightforward and above-board manner. The company's performance and record in my community predisposes me to accept that this decision to consolidate the plant was made on the basis of

sound business reasons in an effort to improve its competitiveness and, consequently, maintain its market share and protect the jobs of its employees. The facts, as they are known to me, support this view.

First, both the Brockville and the Barrie plants were operating below capacity. As a result of this consolidation, the rate of capacity utilization at the Brockville plant will be significantly increased.

Second, the Brockville plant is a more modern production facility than the Barrie plant. It has the production technology needed to enhance productivity and the manufacture of products which would be competitive in the marketplace.

Third, the Brockville site offers the firm more room for future expansion.

Fourth, Black and Decker is currently in the process of rationalizing its corporate operations internationally, as evidenced by the fact that it only recently laid off 800 workers at its Allentown plant in the United States.

4:50 p.m.

This decision was made, not as part of some conspiracy to break the union, not as part of some strategy to withdraw from the Canadian market, but as part of an effort on the part of the company to maintain a viable presence in houseware manufacturing in Canada.

From discussions I have had with officials of the company, I know the decision to close the Barrie plant was not made lightly. I have been assured the management of the company is going to make every effort to assist employees affected by the closure to relocate and/or find new employment.

I would also want it on the record that this matter has been thoroughly reviewed by the Foreign Investment Review Agency. The agency is satisfied that everything is in order and that the company has met all its obligations.

I believe we must assess situations such as the Barrie plant closing and any legislative and regulatory response to such incidents in light of the forces affecting our manufacturing industries in this province.

As all members know, the newly industrialized countries have, by combining low-cost labour with reasonably modern machinery, emerged as major international producers and competitors in the traditional mass production industries. The rise of these producers, in conjunction with trade liberalization, has created an intensely competitive, wide-open international market in which manufacturers from high-wage economies such as ours must contend

with new competitors who, because of the low wages they pay, enjoy certain comparative advantages.

We have seen the impact of these developments on a whole range of manufacturing industries, from television to autos to electronic goods. We also know these trends have had a profound impact on the household appliance market in this country. Ten years ago Canadian-made household appliances accounted for \$206 million in sales in this country, while imports accounted for \$117 million. Last year sales of Canadian-made goods totalled \$356 million while import sales totalled \$423 million.

The only way in which our manufacturers can expect to compete in this new environment is by making their operations as efficient and productive as possible. Only by doing so will our manufacturers be able to maintain or expand their share of the international and domestic markets. It is only by being competitive, by increasing productivity and efficiency, that we will be able to protect the jobs we have, generate new employment opportunities and improve our standard of living.

If we in this House are serious about helping workers and companies of this province come to terms with what we sometimes call industrial restructuring or the economic transformation, then we must put in place laws and regulations which encourage, not inhibit, adaptation.

We must be sensitive to the fact that, especially during periods of competitive realignment, business needs the flexibility to respond to changes in the competitive environment in a manner which will enable it to maximize its productive capacity and make the most efficient use of its available resources.

If we limit the ability of business to make that type of decision, then not only will we hobble the efforts of our existing industries to respond positively to change but we will also discourage new investment. The end result will be lost markets, lost jobs and a lower standard of living.

Members of all parties have often spoken in this House about the challenges of economic transformation. No one has ever said that meeting those challenges was going to be easy. No one has ever said that hard decisions and tough choices would not have to be made. The Black and Decker closing is one of those tough decisions.

We all regret the decision had to be made, but we should also recognize the reasons it was made. We should also recognize the possibility that, had the operations of the firm not been

consolidated, the competitive position of the firm might have decayed to the point where sooner or later, and most probably sooner, we would have been in this House debating not one plant closure but two.

We must abandon the notion that our economy is immune to the effects of international developments. We simply cannot afford to maintain hothouse industries, nor is it possible or even desirable for us to shelter our manufacturers from change. We cannot ignore these things. We cannot simply wish they would go away and leave us alone. We have to devise a positive response to industrial restructuring and help the workers and industries of Ontario adapt and adjust to new realities.

If we do not create an environment in which our industries can remain competitive, if we attempt to legislate business decisions which will produce short-term social benefits but long-term economic disaster, then we will undermine our industrial base and drive more of our producers offshore.

We must always keep in mind that it is a productive private sector which generates jobs. Jobs are created by profitable business activity, not by government laws and regulations.

The Acting Speaker: I thank the honourable member. I was looking for someone from the opposition, but I look forward and I see the member for Nickel Belt.

Mr. Laughren: Thank you. I assume the Liberals do not want to speak. I did not want to jump in before they had a chance.

Mr. Mancini: Mr. Speaker, on a point of privilege: The member for Windsor-Sandwich (Mr. Wrye) is at a very important meeting. He will be here to take his place shortly.

The Acting Speaker: Okay. You will get your turn.

Mr. Laughren: It is with mixed feelings I rise again to debate the closure of Black and Decker of Barrie. I say "mixed feelings" because every now and again a debate comes before this Legislature which is so ideological in nature it cannot help but get my adrenalin pumping.

It was very good to hear the member for Leeds (Mr. Runciman) say it really was inevitable and it was probably necessary that the plant in Barrie close in order to prevent the eventual closure of the plant in Brockville too.

We are dealing with the question of whether or not the market forces out there will determine the economic destiny of this province, or whether the government of Ontario will have some say in the

economic future of Ontario. This is really what it comes down to. Either we believe there should be intervention or we do not believe there should be intervention and the marketplace should dictate our economic policy.

What I hear very clearly from the government is, "Let the market forces determine our future." The member for Leeds is at least being straightforward and honest. There were no crocodile tears from the member for Leeds. For that, I give him credit.

Mr. Samis: What would happen if the shoe were on the other foot, if the company moved from Brockville to Barrie?

Mr. Laughren: If the company moved from Brockville to Barrie, I know the member for Leeds would say, "Sorry, those are the forces of the market at play." This is what he would have said. I give him credit because I believe he would have said that. This is why I get upset when the Solicitor General and the Minister of Labour get up, wring their hands and pretend this is not the way they want the world ordered.

The Solicitor General does not like to see Black and Decker closing in his own riding. He does not want that. However, he still wants market forces to make those decisions. There is no question about it. I am sure the minister would not even deny it. The Minister of Labour would not deny it either. They want the marketplace to determine what happens out there in our industrial sector. There is no question about it.

I wish the Solicitor General and the Minister of Labour would be more honest, state that is their policy and stop pretending they wish they could intervene. Who are they kidding? They do not want to intervene. This is their system. They should not pretend to us they would like to see things ordered differently. If they wanted things ordered differently, they would order them differently.

No, this is their system. They relish it. They sometimes even wallow in it. They should not stand in their places and pretend they would wish it otherwise. That is a lot of nonsense. This is why over here we said, "We are sick and tired of the crocodile tears." If the government wants to do something about it, it can.

The Solicitor General said, "I have not heard any positive suggestions." Positive suggestions have been coming at him for a long time from over here about what to do about plant closings.

Mr. Harris: Name one.

Mr. Laughren: One example was the two-year notification. This party has never said plants must never close. We are saying that when a

plant closes, it should be done in a civilized fashion.

The government members had the opportunity—

5 p.m.

Mr. Piché: The member is speaking out of both sides of his mouth.

The Acting Speaker: Order.

Mr. Laughren: I do not recall ever interrupting any of those people over there. Why are they—

Hon. G. W. Taylor: I think the honourable member is totally misleading the House and should withdraw that statement.

The Acting Speaker: I have to ask the Solicitor General to withdraw that. He has used unparliamentary procedures and will withdraw those words.

Hon. G. W. Taylor: The member did indicate he had never made the statements he just made.

The Acting Speaker: No. You will withdraw the comment that the member is totally misleading the House.

Hon. G. W. Taylor: Misleading the House partially.

The Acting Speaker: No. The Solicitor General will withdraw that statement.

Hon. G. W. Taylor: I withdraw the parts he takes objection to. I still have my own beliefs.

The Acting Speaker: I am sorry. The Solicitor General will withdraw his statement that the honourable member was totally misleading the House or I will have to take action.

Hon. G. W. Taylor: I did withdraw the part he disagrees with.

Mr. Laughren: When it comes to misleading the House, the Solicitor General has no equal.

The Acting Speaker: Let us keep this on a high plane.

Mr. Laughren: I did not accuse him. I just said he had no equal.

The Acting Speaker: You will withdraw that. I do not want this going back and forth.

Mr. Laughren: All right; he has an equal.

The Acting Speaker: No. I ask you to withdraw the statement, if you will be so kind. Then you can continue with your three minutes.

Mr. Laughren: I withdraw the statement. I do not know whether he has an equal. That is leaving the House in a state of mixed emotions.

The Acting Speaker: Just deal with the subject.

Mr. Laughren: A senior official at CGE once stated, and I am sure the Solicitor General will support this, that the ideal corporation of the future would be located on a huge ship that would float around the world docking wherever the wage rates were the lowest. That is the marketplace at play; that is the way it works.

I wish for once we could have the government members standing up and having the courage of their convictions—others less refined than I am would say the guts—and saying exactly what they believe in. That is what they should be saying; but they do not do it, they stand up and pretend.

They say out of one side of their mouths they do not like the way the companies are shutting down and not giving adequate notice, and the next minute they are out there trumpeting the causes of the marketplace and free enterprise. I suppose they have learned they can have it both ways, but every now and again in a debate such as this they get caught in their own contradictions. That is what happens.

The people in Barrie must be scratching their heads and saying: "Wait a minute. Not only do we have a member on the government side, but we also have one who is in the cabinet. What is it doing for us?" They know one thing will happen. They know the Premier is going to write a letter to Black and Decker saying, "We want you to review your decision and we want a two-year notice before this happens."

Surely to goodness what is good enough for Ear Falls in northwestern Ontario is good enough for the people of Barrie; that is the least the people in Barrie can expect. If they get anything less than that, surely they must know the clout the Solicitor General has in cabinet and what the Premier thinks of the people in Barrie.

We have laid before this chamber on many occasions the solution, which includes the two-year notice and, most important of all, justification for closure. Therein lies the secret to having companies come before the people and say, "These are the reasons we must close."

This government will not make them do that. They will go into a meeting with them, come out still wringing their hands, still shedding crocodile tears and saying, "I guess it is inevitable." Mark my words, that is what will happen.

Hon. G. W. Taylor: Words are all the member has. Words are all we ever hear from him.

Mr. Martel: What has the Solicitor General done?

The Acting Speaker: Order.

Mr. Laughren: About five years ago, we laid before the chamber an economic plan for Ontario that would make import replacement the centrepiece for economic policy for this province. What did this government do? They put into place something called global product mandating, and what we are getting in Barrie is the result of global product mandating, which the present Treasurer (Mr. Grossman) said was the secret to the future success of Ontario. What we are getting now is what the present Treasurer, the man who would be Premier, put in place five years ago.

I will conclude my remarks by saying that the members—

Mr. Harris: The member should tell us which plants he would close. He has not told us yet.

Mr. Laughren: What?

Mr. Harris: He still has five seconds. Which plants does he think should close?

The Acting Speaker: Order.

Mr. Laughren: What we are looking for is justification for any closure. How can we support any closure we cannot justify?

The Acting Speaker: The honourable member's time has expired.

Mr. Barlow: Mr. Speaker, I certainly have great interest in this subject and I wish to speak on it. Unfortunately, plant closures are something I have a lot of familiarity with. We have had a number of them in Cambridge in recent years, and I am very concerned. My experience with layoffs and plant closures has made it abundantly clear that the best strategy is one of conciliation, not the heavy-handed approach that is typically recommended by the third party.

This government has undertaken in the past and continues to undertake all reasonable efforts to ensure that a company has explored all available options other than closure and that employees are brought into the picture just as soon as possible. In this particular instance the union has asked this House to review the information regarding the impending plant closure. The union president, Mr. Jim Hamilton, has publicly stated that the union will view the findings of the politicians as fair and unbiased even if it means a finding that supports the need for closure.

Last week each of our caucuses, and indeed most members of the House, were approached by the union. I know, speaking for our caucus, that we had a man-to-man discussion—that is the wrong term to use, I realize; we had a very sincere discussion with the union executive.

When we came out we felt there were two alternatives we could explore. One was an approach of this nature today with an emergency debate, which really has no resolution to it; the other was that of a private member's resolution, in which we could come up with a possible solution.

We agreed, with the union primarily, that a private member's resolution would be a much better approach than what we are currently taking part in. However, the third party wished to jump the gun and get into matters other than—

Mr. Martel: Mr. Speaker, on a point of order: Long before my friend suggested this, the matter of an all-party resolution was raised at the last House leaders' meeting. He should not try to distort what is fact. Okay?

The Acting Speaker: That is not much of a point of order.

Mr. Barlow: I did not refer to an all-party resolution.

Mr. Harris: That is not what he said.

Mr. Martel: I know full well what he said.

The Acting Speaker: Order.

Mr. Martel: I know what he said. What he said was not factual.

Mr. Barlow: I am sorry, I am talking about the meeting our caucus had with the union. The members of the third party were not present at that meeting. I said clearly what was discussed among us, and I have here a letter from the union, which arrived at my office today, to back that up.

Clearly, the motion before us does not reflect that fair and objective perspective. This government has concerned itself in the past and continues to concern itself with those affected by closures. In this case we know that the Minister of Labour currently has a meeting set up for November 30, a top-level meeting with members of the company along with members of government, at which this possibility will be discussed. That is what the union wanted; it wanted full discussion with management of the company, and this is what it is getting. The Minister of Labour has committed himself to that meeting, and a date has been set.

5:10 p.m.

The Ministry of Labour, through its plant closure review and employment adjustment branch, participates in a program designed to help terminated employees find alternative work. The same ministry's employee counselling program has been of significant assistance to employees affected by closures. At the same

time, the Ministry of Industry and Trade attempts to secure an alternative use or buyer for the facility in question whenever possible.

In regard to the second point in the motion regarding public accountability, it must be recognized that discussion between government and company officials in instances such as this typically involves comprehensive analysis of the justification presented by the company. My experience leads me to believe that the public justification process, rather than altering closure decisions would only serve to intensify negative attitudes towards business without regard for the economic legitimacy of the particular decision.

In closing, let me state that unlike the third party, which attempts to use instances such as this as an opportunity to espouse a political doctrine, this government has specific and very successful programs to deal directly with those affected by these unfortunate decisions and at the same time pursues with great vigour alternative solutions to the problem at hand.

Mr. Haggerty: Mr. Speaker, I want to add a few comments to the motion for the emergency debate this afternoon moved by my colleague the member for Hamilton East concerning the closure by Black and Decker Canada of its manufacturing plant in Barrie and the loss of more than 600 jobs.

Last week my colleague the member for Quinte (Mr. O'Neil) also suggested a special emergency debate. I thought I should put on the record just what his resolution said. It might have been more acceptable if that resolution had been carried a week or so ago.

The resolution of the member for Quinte said:

"That in the opinion of this House, recognizing the hardship which will be created in the city of Barrie due to the planned closure of the housewares manufacturing plant of Black and Decker Canada, the approximately 600 jobs that will be lost in the area and the possible export of jobs from the province which could result; and further recognizing the serious discrepancies in information concerning the financial justification for closing the plant, including contradictory information supplied to public officials; the government of Ontario should acknowledge this closing to be unique and unprecedented in Ontario and therefore urges Black and Decker Canada and its parent company, Black and Decker Manufacturing Corp. of Maryland, USA, to reverse their decision, and further the government of Ontario should take all possible and necessary actions to see that all of the

threatened jobs resulting from the closure are preserved."

That was a reasonable resolution for this House to accept.

We have been debating plant closures in Ontario for a number of years in this House. I am concerned about them too. For example, a plant that did business in the town of Fort Erie for a number of years closed its facilities last July. I refer to Hart and Cooley Manufacturing Co. of Canada Ltd., which closed its facilities in the town of Fort Erie and moved much of its operation to a plant around Oakville or Mississauga. The company offered to transfer a number of employees to the new location. We are seeing the same situation here, which will cause hardship in the Barrie area; perhaps 190 will be offered jobs at their site in Brockville.

There is a summary of permanent and indefinite layoffs in Ontario as reported by the Ministry of Labour according to the size of the layoffs—50 or more or fewer than 50 employees affected. It is also reported by the type of cutbacks that have occurred between January 1, 1984, and July 31, 1984. Under "type of cutback," it says 50 reduced operations; there are headings for 50 or more employees affected, fewer than 50 employees affected and a subtotal. The number of establishments was 40 and the number of employees affected was 3,009. For partial closures, the number of employees affected was 1,761 in cases of 50 or more employees; and 186 in cases of fewer than 50 employees, for a total of 1,947.

Then it comes to complete closures. I think this is rather important. Complete closures where 50 or more employees were affected involved 27 establishments—this is in Ontario—and the number of employees affected was 2,831. For the month of July alone, there were five plant closures in Ontario and the number of employees affected was 396. For plants with fewer than 50 employees affected, the number of establishments was 23 and number of employees affected was 674. There were a total of 50 plant closings or partial closings, which amounted to 3,505 jobs. In the month of July alone, there were 10 complete closures and the loss of 490 jobs.

This spring we heard much about the government's program in the new budget and the jobs that were going to be created this term. But even with all the money it had budgeted to encourage industries to hire people in the province, I do not think that is going to come about. The cutbacks by the new Tory government in Ottawa in this area alone will have a drastic impact, causing

more unemployment in Canada. I suppose Ontario will be the hardest hit.

It has even cut back on funding for advanced technology. Wilson says, "We are cutting back in these areas." I do not know how we are going to be competitive when we have both governments cutting back in this area. The two governments are kissing cousins now for sure. No more handouts will be given to encourage research and development in these areas.

When I look at that, I ask myself what the total impact upon Canadian society will be. The federal government is even talking about making it tougher to get unemployment insurance. That would be a hardship. If the government in Ottawa leans this way and if the trend is going this way, I can see of the return of the Regina Manifesto.

Something must be done in this area to protect jobs in Ontario. In the past, this government encouraged the phasing out or the closing down of operations from one municipality to another by offering grants to relocate. I am thinking of a plant in Thorold. I think Hayes-Dana Inc. was given a substantial grant to relocate much of its plant facilities in Barrie. It moved in that direction, but what happened to the plant?

One can see this trend all the way across Canada, but particularly in Ontario and Quebec. Both the federal and provincial governments have come forward with grants. They say they are creating new jobs, but the jobs that are lost in Fort Erie or in Barrie are going to other municipalities. Of course, it looks great when the Brockville Chamber of Commerce can say in its monthly newsletter that it has created 600 new jobs. But the Chamber of Commerce in Barrie at the same time is saying, with not too much pride, "We have lost jobs here and they have been relocated some place else."

5:20 p.m.

This might be the game this government and the federal government are playing today, saying they are creating so many jobs in one place and not telling how many jobs have been lost somewhere else. It is difficult to believe the Treasurer when he stands up and says, "We are going to create 38,000 new jobs in Ontario," when one looks at the total numbers of plant shutdowns listed here.

A total of around 19,000 jobs have been lost in plant closures within the year, taking in 1983. Quite a few jobs have been lost today under our economic conditions which are supposed to be creating jobs.

I will go back to Hart and Cooley, which transferred its operations from Fort Erie to

another location in Ontario. Five or six months later, a number of the employees there still do not know if they are going to get their pensions. They are having difficulty getting their pensions settled by that industry. I am sure the minister is aware of the practice taking place in the United States in regard to plant closures and layoffs. Companies and industries are raiding the employees' pension funds.

They are having difficulty on the American side because there is a certain loophole, and I am sure it exists here too, whereby a company can retrieve some of the pension fund money that has been set aside for employees. They can show it as an investment deal and say they are going to invest it back into the industry. The guy who is put out on the street through plant relocation or plant closure is having difficulty in—

The Acting Speaker: I thank the honourable member. His time has expired.

Mr. Haggerty: We still have about 40 minutes before the recess and I am sure we could go on. I suggest—

Mr. Mancini: Your 10 minutes are up. Look at the clock.

Mr. Haggerty: I do not bother about the clock over there. I have seen question period run over four minutes. I will make it short. I think any plant closure has to be justified.

The Acting Speaker: You have had your time.

Mr. Breagh: Mr. Speaker, I want to participate in the debate this afternoon because I think it is an important debate, even though one would not know that in looking at the government benches opposite, which are pretty empty. The entire second row has not one government member in it this afternoon.

Mr. Rotenberg: There are four members of your party here right now too.

Mr. Breagh: If the members opposite do not want to be the government, they should get out of here. It is as simple as that. If they want to make the rules of the game, if they want to maintain a quorum in the Legislature, if they want to run the province, they must accept a certain amount of responsibility. They can suck and blow all they want on that one, but that is their job, not ours.

I want to participate even though it makes me a little sad. This whole issue of plant closures has been around us for far too long and this government has known what to do for far too long. It is not because they have not been told by us, by communities, by unions, by individuals and by just about everybody the things they have

to do to prevent this kind of tragedy from occurring. They know those things and they have known them, as a government, for a long time now, and they have chosen, as a government, not to act on them.

It saddens me somewhat that they have not. It saddens me a great deal that in almost all our communities around Ontario we have industrial development programs, industrial development officers, mayors and members of council who are very busy trying to see that this type of tragedy does not hit their community. None of that can work because there is no notice provision.

They have said to this government time and time again: "When plants close, we have to have some notice. You have to tell us or all this hardware in which we have invested, all that computer time, all the industrial development people, all the new promotional programs we have put in place cannot work, if no one will tell us about this until after the closure takes place."

They have told the government this for a long time and it has chosen not to do anything about it. Individuals have told the government they need some help with portable pensions, that if a plant closes in one place it would surely be a great help to be able to carry their pensions to another spot. The government has chosen not to do anything about that.

This afternoon I have listened to the debate and it seems to me that some members use it as an opportunity to get off on their ideology, and that is fair game. The member for Leeds pretends to be the total free enterpriser. He may be, but this government is not. This government is strongly interventionist in nature.

This government has the Innovation Development for Employment Advancement Corp., the Board of Industrial Leadership and Development, tax concessions and tax holidays, and it promotes businesses around the world. It intervenes in the free marketplace every single day of its life. In fact, intervention by the government in the free marketplace is big business in Ontario. There is probably more money spent by this government intervening in the marketplace than doing anything else I can think of.

I want to get back to a couple of other points that came up earlier in the debate. I remember sitting in committee room 2 when some friends of mine had their plant closed on them. I sat with the current Minister of Labour—he was not minister at the time—as my friends poured out their heart and soul to a committee of this Legislature about what happens to ordinary people when a plant closes.

At that time, it struck me the Minister of Labour was being very honest. I do not think he had ever heard that before in his life. I do not think he recognized the destruction of individual lives, family lives and the life of a community before. At that time, I thought he did not know that. This was a new experience for him. He was not aware of what that does to a working person who has spent 20 or 30 years in a plant and every day of his life has done what society says one is supposed to do, that is work hard, and now has the closure of that plant destroy his life from that point on.

Just as a sad update, I happen to know some people who came out of those plants that were closed down in my area and that is exactly what has happened to their lives. They have turned to booze and drugs. Their marriages have had problems and they have been destroyed. That is not new. That is not a revelation.

The minister was told all of those things by those people five, six or seven years ago. He has been told that repeatedly. He has played with select committees which made recommendations to him and he chose not to do anything about it.

Many members have said today exactly what is going to happen. The minister will have a meeting. Letters of concern will be sent. There will be a debate in the Legislature. There will probably be a meeting or two. The Solicitor General, who happens to be the local member, will say he is working very hard to do something; but consistently over the years the government has been told by us, by all-party committees of the Legislature, by industry, by unions, by individuals, exactly the kinds of things it needs to do.

The minister knows the litany of things that must be done. He cannot pretend ignorance any more. He cannot pretend he does not know what happens to those individuals any more. I believed the Minister of Labour five or six years ago when he sat in the committee room and said, "I never realized this happened to people." I believed him then, but I do not believe him any more.

He has known for that length of time what has to be done and he has done nothing about it. His concern is not appreciated any more. We want more than that. His baloney that he refuses to intervene in the free marketplace is just that. The minister intervenes in the free marketplace every day of his working life.

What people are begging the minister to do is to intervene in a constructive way so this kind of closure does not happen again. The tragedy is people have been asking the government to do

that for the better part of a decade. An even greater tragedy is that the Treasurer, who has resisted all of that for the better part of a decade, is now, in the middle of a leadership campaign for his political party, beginning to see the light. He is beginning to say now what people on this side of the House have been saying for a long time. The government cannot let people close a plant like that with no notice. There has to be some provision to make them a little bit accountable.

This is the same corporate sector that accepts all of the government intervention. It accepts a range of things from complete tax holidays to lower loan rates, to all of the promotional things the government of Ontario does to keep the private sector in business. The government intervenes in a number of ways. It responds to their needs.

The plea we are making now is respond to somebody else's needs. Respond to those individuals who will not have a job. Respond to the communities that will lose their industrial tax base. For the life of me, I cannot understand why this government has not done that. If the minister is a little upset with members on this side who are perhaps a little more emotional than they normally are on issues such as this, he should understand the tragedies will be around for a long time.

5:30 p.m.

It is true that in crass political terms the government is probably doing the expedient thing. The minister will express some concern, and hold some meetings, and probably they will forget who caused all of this to happen.

But the truth is that the members opposite are the government in Ontario. They have known for a long time what had to be done and they have steadfastly and resolutely refused to do it.

I believe the government will do it. I think the problem is that the body count is not high enough yet, but it is getting there. Not enough communities have been hammered by this kind of layoff, but it is getting there. Not enough people have lost their livelihoods to have a political impact yet, but it is getting there. The government is simply sitting around watching the numbers mount, and when some pollster for the Conservative Party in Ontario decides it is politically expedient to do something, it will. Until that time is reached, no argument about fairness, no argument about equity will hold sway in its court. We know that.

The government is a little uncomfortable this afternoon that people are expecting it to do what a

government ought to do, that we are no longer accepting little ideological discussions or lectures from it about who does what in society.

It can be as pragmatic as it wants; it has a wide choice of options to pick. But the truth is that it must pick some of them and, to date, it has refused to pick any of them. To date it has said, "It is good enough to sit around and hope that somebody in the private sector will pick up the pieces." The truth is that it knows it is laying on the taxpayers of Ontario all the social responsibility for all those costs, and it is wrong. It will take more people, more jobs and more disasters like this, but the government will eventually act on all those recommendations. It will eventually do all those things.

Mr. Wrye: Mr. Speaker, I would say right at the outset that I am literally stunned that out of 71 Tory members only three of that caucus would view the closure of a facility in a city the size of Barrie and environs, throwing 600 people on to the street with Lord knows what kind of spinoff effect, as not being worthy of their joining the debate.

Mr. Piché: You are talking like a socialist now.

The Acting Speaker: Order.

Mr. Wrye: My friend the member for Cochrane North (Mr. Piché), with his usual glib turn of phrase, talks about the kind of rhetoric we utter in terms of whether we are socialist or capitalist. You know, my friend, these are people—

The Acting Speaker: The member will speak to the issue.

Mr. Wrye: —and they do not not care one hoot whether it is socialism, capitalism, free enterprise or mixed economy. All they know is that somewhere down the road not very many weeks from now they are not going to have a job.

Interjection.

The Acting Speaker: Order.

Mr. Wrye: I say to my friend the member for Nipissing (Mr. Harris), as he will know, that I was here until about 4:30. Then I went to another meeting on another bill with which we are trying to persuade the Minister of Labour to help the women of Ontario.

Mr. Harris: Your time must be really important.

The Acting Speaker: Order.

Mr. Wrye: But I am back in my place, I am prepared to discuss this matter and I am really

rather surprised the government could not put up any more members.

Mr. Piché: I am going to listen to you, but try to be positive. This negative approach is taking time it should not take.

Mr. Wrye: There is nothing positive about a plant closure that is going to cost 600 people their jobs in the short term and that in the long term may cost anywhere from 400 to 900 more. Every time business creates a job, those who make the announcement talk about the spinoff effect and how this new plant with 200 people will create a total of 500 jobs.

I suggest to my friend the member for Cochrane North and to the minister it works the same way in reverse.

This company, this closure, this unacceptable action coming a few precious months after an approval by FIRA is literally going to tear the guts out of Barrie and its surrounding municipalities.

My friend the member for Oshawa (Mr. Breaugh) talked in his speech about why some of us are a little more emotional about this debate than about some of the other debates. That is because we have seen it happen. We have seen the government do absolutely nothing time after time, not only to prevent it in the first place but to deal with the wreckage after it occurs.

Back in June 1979 in the ridings of Windsor-Sandwich and Windsor-Walkerville, two plants owned by the Bendix Corp.—

Mr. Piché: I went through the Kimberly-Clark closure last year. I am aware of all that. He blames the government for everything.

Mr. Wrye: Mr. Speaker, could I perhaps have a little less noise?

The Acting Speaker: I would ask the honourable member to remember that the member for Windsor-Sandwich has the floor.

Mr. Wrye: Why does the member not listen? Maybe he will learn something.

Mr. Piché: I would like to listen if he talks positively. This is a serious matter. He should try to talk positively.

The Acting Speaker: Order.

Mr. Piché: He should tell us what he would like to do.

Mr. Martel: What about the crying of the honourable member when the plant in his riding was closed down?

The Acting Speaker: Order.

Mr. Wrye: In June 1979—

Mr. Piché: The member knows what happened.

Mr. Wrye: Maybe the member could shut up and I will give him a lesson.

The Acting Speaker: The member for Cochrane North will control himself.

Mr. Wrye: In June 1979, 591 workers woke up one morning to find both Bendix plants in Windsor were being closed that day. This government gave them absolutely no help whatever. The unions negotiated a good pension arrangement, a good deal on the pension and a reasonable deal on severance, but this government did not produce any ongoing jobs, job evaluation, job training or job search.

It did not work with these individuals, many of whom were quite unskilled in their labours, but many of whom equally had worked a great number of years of their lives, in some cases all their lives, at this one plant developing the skills necessary at Bendix.

They were tossed, as the people of Black and Decker will be tossed, on the scrap heap.

Mr. Runciman: Not true.

Mr. Wrye: Not true, my friend? My friend from Leeds suggests it is not true. I would suggest that he take off the blinkers and perhaps come to a riding such as mine to deal with the Bendix workers. Even to this day they still come to my office asking, "What can you do to try to get me full-time employment?" Since 1979 far too many of them have had a series of make-work jobs, virtually total lack of training and certainly a total lack of interest from this government.

What is terribly unnerving and terribly distressing about this is the fate of the select committee on plant shutdowns and employee adjustment. It is a committee the Minister of Labour sat on and I believe my friend the member for Simcoe Centre sat on. Before the election reality of March 19, it had been doing very good and commendable work in certain partisan circumstances.

As a journalist doing a program on plant closures before that election, I read a great deal of the testimony that came before that committee, testimony and questions from all three parties. What was the very first thing this government did? It shut down the committee. It said, "We do not need it any more."

I say to my friend the member for Simcoe Centre who sits at the cabinet table, "Boy, do we ever need it today." We certainly need it today because we have today, in this Black and Decker situation, not some small plant shutting its doors,

we have the kind of plant that the committee was most particularly concerned about, a plant whose shutdown affects in a very real way the economic viability of a community.

5:40 p.m.

As I came back into the House I was listening to my friend the member for Erie (Mr. Haggerty), who was making a very good point. In these cases at least, surely some kind of justification must be the order of the day. In cases such as these, surely it is not unreasonable nor irresponsible to suggest large employers should be forced to go to the Minister of Labour before they make any announcement and say, "Here is what we contemplate." This would allow the minister and the ministry with all their expertise and manpower to begin to try to salvage something before the wreckage is total. Surely, this is not unreasonable.

Time and again for the last three and a half years, during my time as Labour critic and during my time in this parliament, we have asked the Minister of Labour to reconstitute that plant shutdown committee. Out of this tragedy, and it is a human tragedy, perhaps we will see that kind of committee reconstituted.

In a sense, I feel for the Minister of Labour and the Solicitor General today because the pressure back home must be enormous. There is no doubt about it. However, they sit at the cabinet table and they sit in this Legislature. Out of this tragedy, perhaps they will understand for the first time that the time has come to speak up, to pound the table a little bit and say, "This just cannot go on." The body count, as my friend the member for Oshawa suggested, is getting unacceptably high in my community and others.

Out of this tragedy, perhaps the Minister of Labour will call his friends or his cousins in Ottawa and say, "What we need with the Foreign Investment Review Agency is not the destruction and diminution of it, but the strengthening of it." Then when FIRA looks into what changes are going to be of economic benefit to this country, it can make sure the economic benefit lasts longer than just a few months before the human wreckage comes along.

Mr. McClellan: Mr. Speaker, one of the things that strikes me about the closure of Black and Decker in Barrie, which we are discussing today, is that it is indicative of a kind of decline—I am not quite sure how to describe it—in the level of civility on the part of the business community in this country which is becoming more and more evident.

We used to hear people talking about capitalism with a human face. That was certainly a theme in the 1950s and the 1960s. Quite frankly, I think many of us thought we had arrived at a time in our society where the kind of thing we have been seeing happen systematically over the course of the last four or five years was not going to happen any more.

About a month ago we had a report from the Canadian Manufacturers' Association which raved and ranted about the need to do away with things such as child labour laws. I see this as part of an overall decline in, whatever we call it, corporate ethics or corporate citizenship, on the part of the business community in this country. I think this government is going to have to wake up to it, confront it, take it on, challenge it and stop it.

We are not going to sit around and backslide into the kind of savage, dog-eat-dog economy of the 19th century. Yet this is precisely what is happening. As my colleague said, I thought the member for Leeds made an honest contribution to the debate. He talked about the need, in the face of the kind of foreign competition we are experiencing from offshore, newly industrialized countries, to undergo some kind of economic transformation and to permit the private sector to be flexible in order to respond to that kind of challenge.

In the name of that kind of flexibility and under the rubric of some kind of economic transformation, we are seeing a new kind of corporate barbarism taking place across this province in community after community. It is all very well for the member to talk about the need for flexibility and consolidations that will permit companies like Black and Decker to survive. But what price is going to be paid by the 600 people in Barrie who are going to be sacrificial lambs in aid of this economic transformation?

One cannot simply say the free force of the market will be allowed to prevail and the 600 people will be allowed to fall into a social and economic gutter. That is the kind of dog-eat-dog capitalism we have escaped from and which many people in this country's business community would like to lead us back into.

This government is not dealing with plant layoffs and shutdowns as isolated phenomena. They are no longer that. They are epidemics which are part of the business community's response to tremendous international competitive pressures. We have to understand that we cannot simply allow people who are victims of

these pressures to be dropped like so many obsolete pieces of machinery.

The government has said it refuses to deal with the issues of notice and justification because this somehow impedes the consolidation necessary for these guys to survive in the face of international competition. I will just set that aside for the moment. What happens to the victims?

The government refuses to bring in adequate severance pay legislation, so the people who are laid off are dependent on an unemployment insurance system which is not designed to deal with these situations. Our unemployment insurance plan is designed to deal with short-term unemployment which is not of an epidemic nature. What is happening in Barrie is the equivalent of an epidemic of unemployment. It will be a long time before these people get back to work. They will exhaust their unemployment insurance benefits and many of them will end up on welfare. They will lose all their investments in their homes. They will go right to the bottom of the economic ladder.

That is only the beginning of their problems. They will lose their pensions. In Ontario, we still have the most archaic, absurd pension legislation in the private sector. The 10-year service, age 55 rule is still in effect. I do not know the precise details of the vesting arrangements at Black and Decker, but they are probably not much better than that, if they are any better. That means many younger workers will lose everything because they will not have 10 years of service. Many older workers will discover what many others who have been laid off have discovered, namely, that their pensions are minuscule.

The CCM workers, for example, discovered that when the company ran into difficulties it stopped paying into the pension fund altogether. They discovered their pension fund was underfunded to such an extent they had no pension coverage at all.

This government refuses to bring in reforms to private sector pensions and, more important, it does not begin to touch on the need for pension cushions for older workers who will never get back to work. The reality for someone in his late fifties or sixties who has worked at a place like Black and Decker for all his life is that he is not going to go back to work. There will be people in that plant who will probably never work again in their lives. Yet this government refuses to bring in voluntary early retirement schemes which would at least prevent the complete economic catastrophe which will be inevitable for some of the workers at Black and Decker.

5:50 p.m.

Who is going to help the workers who are laid off in a mass unemployment situation to find alternative employment? Canada Manpower? Do not make me laugh. Are these people supposed to go to Canada Manpower in Barrie and look at the notice board for jobs? Is that how we are supposed to help these guys and women to get back to productive employment, by going down to the Canada Manpower centre?

We have argued over and over again the need to put special manpower adjustment programs into place when these kinds of plant shutdowns and mass layoffs take place, and nothing has happened. The people in Barrie have no alternative except to go to the Canada Manpower office and look at the notice board. It is pathetic.

The member for Leeds talked about some of the job opportunities for workers in Brockville. I gather there will be 200 jobs in Brockville, if I understood him correctly. One hundred of these will be taken up by workers in Brockville who have already been laid off. At most, for the 600 workers at Black and Decker there will possibly be 100 jobs in Brockville.

That leaves 500 people. Who is assuming the responsibility to help them find alternative employment? Not the Minister of Labour and not the local members. They cannot possibly find jobs for 500 people. Let us not be preposterous.

If the government is not going to deal with the fundamental problem of requiring companies to give adequate notice and to provide public justification if they are going to wreak this kind of economic havoc on a community, surely it has a responsibility to put measures and safety nets in place to prevent the people who are victimized by these kinds of events from being wiped out financially and completely destroyed; yet it does not deal with these issues either.

It is not as though these are new. This has been going on now, as I said, in a kind of epidemic for the last six or seven years. It is regrettably and obviously part of a trend within the Canadian business community, which obviously does not have the wit to respond to international pressures in any other way but to try to make its workers superfluous. I hope the government will eventually come to its senses.

Hon. Mr. Ramsay: Mr. Speaker, with respect, I would like to draw to your attention the fact that six members from the third party have spoken this afternoon, but only four members from the government side and only four members from the official opposition have spoken. Somewhere along the line the rotation was broken.

Mr. McClellan: Mr. Speaker, on a point of order: We took our turn in rotation every time it came around. That explains the discrepancy.

Mr. Martel: No one got up.

Mr. Harris: The Liberal Party had nobody to speak once. That is what happened.

The Acting Speaker: Order.

Hon. Mr. Ramsay: I did want to take the time to go through the details of the Black and Decker closure. There will not be time to do that in the detail I had hoped, but I do want to make just two or three comments.

The last speaker talked about the fact the government and the ministry would not do anything to help these workers who are severed, but that is not the case at all. Every possible step will be taken to ensure that employees are given the fullest assistance in seeking alternative employment and in obtaining career counselling and skills upgrading opportunities.

Members are aware of the way in which manpower adjustment committees operate. If it becomes necessary, I am sure that with union and company co-operation a manpower adjustment committee can be established. They have been established in each and every closure and they have had a measure of success.

Similarly, the counselling programs, which are initiated by my ministry and carried out in co-operation with the local community college, will certainly be made available for those wishing additional training opportunities. So there are those mechanisms in place and, as I say, they have had a measure of success despite an economy that has not been the best.

I hesitate to bring these facts up again, but I think they should be put on the record. The situation is grim; I am not debating that at all. As I have said in this House before, if there is just one closure involving one person, that is as traumatic to that one person as it is to anybody else.

However, there has been an improvement, and I would like to illustrate that. During the first eight months of 1984, the total number of employees affected by permanent and indefinite layoffs has shown a continual decline from the previous two years. For instance, during the period January through August 1984, 115 establishments reported permanent and indefinite layoffs affecting 9,179 employees compared with 136 establishments affecting 13,536 employees during the same period in 1983. With regard to the number of workers affected, this represents a decrease of approximately 32 per cent. The comparison is even more dramatic

when one examines the same period in 1982 during which 27,717 employees were terminated in 253 establishments.

This picture is certainly an encouraging indication that the economy is in a stage of recovery. As I said earlier, I do not want to underestimate the seriousness of the current situation, but the trend does give some encouragement.

I had some other things to say, but I do not want to say them out of context. Perhaps I could close with a couple of comments that are not meant to be provocative. I have listened with interest to everyone this afternoon. I know how serious they are about the matter. My friend the member for Sudbury East (Mr. Martel) has talked about what they do in Europe. My friend the member for Oshawa has discussed the options that have been put before this government time and time again.

What has a socialist government in Manitoba done in this respect? I can go a little further and ask what—

Mr. Martel: Their rate of unemployment has declined regularly under a socialist government.

Hon. Mr. Ramsay: There are still sad, sad closures in Manitoba.

May I ask what a socialist government has done in Quebec? That province has—

Mr. Breagh: Mr. Speaker, on a point of order: I would think in this debate this afternoon this minister would be a little bit caring and concerned about what is happening here in Barrie, Ontario—

The Acting Speaker: That is not a point of order.

Mr. Breagh: —and never mind the garbage about what is happening elsewhere.

The Acting Speaker: Order.

Hon. G. W. Taylor: His remarks are no different. He and the other NDP member started right off by railing at me. They have no concern whatever for the workers, but just their platitudes and their philosophy.

Hon. Mr. Ramsay: The important point I am attempting to make is that Ontario has been out in front as far as severance arrangements are concerned. We have been out in front of provinces such as Manitoba and Quebec and in front of British Columbia and Saskatchewan that did have socialist governments. We have led the way on the North American continent with regard to severance pay provisions and benefits for workers.

The House recessed at 5:58 p.m.

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Hansard

Official Report of Debates

Legislative Assembly of Ontario



Fourth Session, 32nd Parliament

Tuesday, November 20, 1984

Evening Sitting

Speaker: Honourable John M. Turner

Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday, November 20, 1984

The House resumed at 8 p.m.

TOWNSHIP OF MARATHON LAND ACT

Hon. Mr. Bernier moved second reading of Bill 148, An Act respecting certain land in the Township of Marathon in the District of Thunder Bay.

Hon. Mr. Bernier: Mr. Speaker, the township of Marathon is developing a residential subdivision to accommodate the rapid growth resulting from the great Hemlo gold discoveries. The plan of subdivision has been approved and the lots have been sold. However, underlying the plan of division is a survey of what used to be a dirt road. The road was never dedicated and accepted as a public highway, but there was enough use of it that lawyers cannot certify that it never attained that status.

This bill is the most expeditious way of solving the problem to the benefit of the owners, who are the township, the mining companies and the individual purchasers.

Mr. Nixon: Mr. Speaker, now and then we find that the time of the House is taken up by matters of this nature that cannot be solved in any other way. Occasionally it concerns me that road allowances are removed by legislation, regulation, or in this instance an act of the Legislature, when occasionally they give access to public waterways or something like that.

I have been assured by the member for Lake Nipigon (Mr. Stokes), in whom I have great confidence, that this is something that would benefit the community. On that basis, my colleagues and I will be supporting the legislation, and I cannot wait to hear what he has to say about it.

Mr. Stokes: Mr. Speaker, I can attest to what the Minister of Northern Affairs (Mr. Bernier) has said about what has made it necessary to introduce this bill. This is not to say that it could not have been done otherwise, but it was on the advice of Mr. Stepinac from the Ministry of Northern Affairs legal branch that it was the most expeditious way of removing from the subdivision the cloud that prevented potential owners from getting clear title to their land.

I have had considerable dialogue with people in the legal branch of the Ministry of Consumer

and Commercial Relations who look after the land registry office, and it would have had to go to the Ontario Municipal Board. In effect, one would have had to ask lawyers to falsify or repudiate the records. It seemed this was the most expeditious way of giving clear title.

The township is very appreciative of the fact the minister took the initiative to bring in this bill, simply stating that a dirt road that once went through the subdivision was never deemed to have been a public highway. When this piece of legislation is given third reading and royal assent it will be possible for two mining companies, Lac Minerals and Teck-Corona, and all other purchasers of land in the area to get clear title.

We are told by the legal people this is the only expeditious way it could have been done. Several ministries have approved this, and the township and its lawyers are in full approval. I know the township and the prospective buyers are waiting for this legislation. On behalf of all concerned, we appreciate the initiative that has been taken by the Minister of Northern Affairs and his personnel.

I know everybody will want to give it third reading tonight and at the first opportunity give it royal assent, so they can get on with the business of looking after that much-needed development in the Marathon area. I support it wholeheartedly and I hope all members of the House will do likewise.

Motion agreed to.

Third reading also agreed to on motion.

ASSESSMENT AMENDMENT ACT

Hon. Mr. Gregory moved second reading of Bill 129, An Act to amend the Assessment Act.

Hon. Mr. Gregory: Mr. Speaker, the purpose of this bill is to postpone until December 1985 the return of assessment rolls at full market value across the province.

The bill will ensure that the section 63 market-value-based reassessment program will continue to be available to municipalities and school boards in unorganized territories to correct inequities within classes of properties without allowing tax shifts from one class of property to another.

As I am sure the members are aware, the objectives of the section 63 program are to ensure that assessments within property classes are fair and equitable, to provide ratepayers with assessments based on market value, a concept they can clearly understand, and to provide municipalities with defensible tax bases.

Since its introduction in 1979, the section 63 reassessment program has been implemented successfully in 434 municipalities to date. Approximately 40 more municipalities have requested tax impact studies so they can consider the consequences of the implementation of the section 63 reassessment program in the municipality for 1985 taxation.

Together with the 142 municipalities proclaimed at full market value, nearly 70 per cent of all municipalities in the province have been reassessed on a market value base. The fact this program is voluntary on the part of the municipalities, and the progress to date marks a major step on the reassessment front, makes it a remarkable achievement in moving towards the goal of an equitable property assessment and taxation system for Ontario's municipalities.

In summary, the purpose of the bill is to provide for the return of the assessment rolls for municipal taxation at present levels of assessment, except where the section 63 market-value-based reassessment program will be introduced.

8:10 p.m.

Mr. Nixon: Mr. Speaker, it is nice to hear the minister make his speech again. He is going to hear me deliver my speech again, because this bill has been introduced year by year ever since the former Treasurer and chief planner for Ontario, the Honourable W. Darcy McKeough, centralized the assessment responsibility here at Queen's Park.

Many people in the province continue to have a high regard for Darcy McKeough except in this one instance of bad judgement. He was able to persuade his cabinet colleagues and the then Premier to go along with the process of regionalizing local government, and in his impatience with the abilities of local functionaries, particularly those responsible for assessment, he decided to implement the final solution.

He passed legislation that centralized the assessment responsibility with his ministry. He was Treasurer and Minister of Economics and Minister of Municipal Affairs, I guess, at that stage. With the undoubted power and influence he wielded in the cabinet and in the province, it was going to be only a matter of months before all

the properties across the province would be reassessed. We know this was probably the second-worst decision he made.

The matter has been abnormally expensive from that day to this. By taking over responsibility for all the assessment officers, he raised everybody's pay to the highest common pay. This was fine because the more money people make, I guess, the better it is for the economy, in spite of the fact that it was very hard on the taxpayers then and still is now.

He thought that by centralizing this responsibility he would reassess properties—industrial, commercial and residential—right across the province at market values. Of course, during that period of time, Mr. Speaker, as a member coming from Mississauga, you would certainly know that the market values were gyrating wildly, spiralling upward under rather strange and unusual pressures.

As a matter of fact, since that time many rural properties have roller-coastered downward in their value in spite of the administration of the former Minister of Agriculture and Food, who is so interested in this debate. These gyrations in value were only one of the reasons Mr. McKeough and his successors found it absolutely impossible to bring about any sort of rational market value assessments.

The efforts were rather elaborate. At one stage Willis Blair, a good friend of all of us in this House and the present chairman of the Liquor Licence Board of Ontario, was appointed chairman of a royal commission to bring us an answer to the problem that Darcy McKeough had left when he walked out of government rather precipitately some years ago.

Willis Blair, fine fellow though he is, former mayor of one of the municipalities in downtown Toronto, a lifetime Tory—that did not have anything to do with his appointment, of course, because he is a very capable person in all respects—

Mr. Sheppard: What is wrong with that?

Mr. Nixon: What? Being a capable person? My friend may never know.

Willis Blair undertook a review of this matter from one end of the province to the other. He even consulted Liberals, and we were not able to give him the answer he sought because we felt market value assessment was a preposterous scheme at the outset and it remains so even to this day.

He had given up. Maybe that was the reason he left the Treasury benches, and this responsibility has gone through a number of ministers, first in

Municipal Affairs and now in Revenue, who have tried to grapple with the problems of market value assessment.

You are aware, Mr. Speaker, that if you have true market value assessment, the transition, not so much of the assessed values but of the final tax load, is such that even a party like the Progressive Conservative Party of Ontario would not be strong enough to carry the public opprobrium that would go with such a mess.

As a matter of fact, I hear the minister tonight once again expecting to receive accolades for using the section 63 reassessment. The section 63 reassessment was a complete cop-out. It was a market value assessment within classes, which in no way meant that heavy industry and occupants associated with those properties and those assessments would be asked to carry a heavier share of the assessment and thus of the taxation, because it is only within the classes that these reassessments take place.

If members will forgive me, I will simply recount once again—and members may have heard me on this before—what actually happens to farm properties under this vaunted section 63 reassessment of which the minister is so proud.

In most areas if land is simply farm land, used for the production of food and not for any sort of subdivision or any sort of housing—it has absolutely no call on education or on any other municipal services, such as policing and fire protection; it is just raw land that is farmed effectively, as in my case, of course—and it is subject to reassessment under section 63, we might well expect that the taxes would at least double.

In the case where I had direct experience, the increase in taxation was well over 100 per cent. I for one, speaking for my neighbours who have been subjected to the same ministrations from this minister, resent it. We feel it is an extremely inappropriate way to establish the kind of reassessment concept that was run up the flagpole with so much fanfare by Darcy McKeough back in 1972, if I remember the date correctly.

Ever since that time, the Assessment Act has called upon the government to see that the assessment rolls were returned at market value assessment. Every year since then, for a decade plus two years, the government has been unable to do that. I suggest they will never be able to do that.

My own feeling is they should amend the original act with something other than this year-by-year patchwork approach. I have said that before, and I have called upon this minister

and his predecessors to sit down with the experts in the ministry. They are undoubtedly very capable experts who have had to contend with this mishmash legislation over the years. Perhaps even I would not object to them retaining one of these high-priced lawyers who we hear about from time to time to get the kind of legal advice that might benefit the minister so he could come in with a piece of legislation.

If necessary, we could even call upon the services of the member for Oxford (Mr. Treleaven), who must know more about assessment than most of the people here, and his colleague from the Ottawa area. Both of them have been known to accept government contracts for legal advice in the past.

Mr. Treleaven: But the member wants it for nothing. He wants it for no legal fees.

Mr. Nixon: For nothing; I know what those guys charge. That is what he calls nothing.

I have a great personal friendship with the minister, and I have a high regard for his personal abilities. I am convinced that it would be possible for him, before he is kicked out of this job, which will probably be next February 1 because I understand he is going to the Treasury at that time, to bring about the kind of rationalization of the assessment legislation that would introduce some order into this situation, which has been chaotic for these many years.

The bill has come before us year by year. Also, with the postponement of the changing assessment on pipelines, I do not know why the pipeline people do not object more strenuously since it means they pay a much larger share of taxation than the intent of the government would suppose.

We are going to have this bill this year and next year, and in fact it may have to wait the very few short months until the Liberal Party takes over the responsibility of government before we have the sort of fair and rational approach to the whole problem of assessment that has been so sadly lacking in these many years of Conservative rule.

It was not working too badly before Darcy McKeough started fiddling with it. It is a classic example of the rule, "If there is nothing the matter with it, do not fix it." I am quite concerned that the minister has shown none of his well-known ingenuity in moving towards the kind of solution to the assessment problems the country is crying out for.

8:20 p.m.

I will simply end my remarks by saying again that I find it offensive that the minister is trying to convince us and all those people who read our

remarks in Hansard—and there must be thousands and thousands of them, Mr. Speaker—it is offensive to try to convince all of those readers of Hansard that this 1963 reassessment is worth anything.

In my view, it simply compounds the problem of assessment and taxation, particularly in the rural areas. The minister may very well draw to my attention that the generous taxpayers of Ontario assist farmers in paying a part of their taxation—a paltry 60 per cent as a matter of fact. However, this is beside the point. It is simply an attempt by the government to retain and perhaps curry additional political favour with the farmers by loading them down with money.

As far as I am concerned, I do not mind receiving the cheques. I have been involved in a number of elections, and I usually find these tax assistance cheques arrive a few days before the election. The time they are mailed out seems to be variable. I have a feeling the honourable Minister of Revenue (Mr. Gregory) was sort of prepared to speed them up in case there was an election on November 22, which is what we expected. That would be two days from now.

Frankly, I am rather upset the cheques have not arrived in my post office yet. The minister has probably decided that instead of having the money arrive at our farm—by the way, the address is RR 1, St. George, Ontario—just before the election, he is undoubtedly going to have them arrive just before Christmas. They will accompany the subsidies to our friends the senior citizens. This passes for high policy in taxation in this province.

I regret very much that over these many years the Tory party in Ontario has never been able to rationalize its assessment policy so that it is meaningful. As it is, it is anything but just and equitable. The minister should be embarrassed that once again he has to introduce this piece of legislation that has come before us at this time of year.

Mr. Breagh: Mr. Speaker, the previous speakers have alluded to the fact they have seen this bill before. It is the annual bill which once again provides us with the opportunity to oppose it and to mention what we think are some rather serious problems surrounding market value assessment.

However, if there ever was a single piece of legislation that is the embodiment of the Tories in Ontario, this one is really what Torydom is all about. The kind of legislation they bring forward says a lot about a political party and a government. In Ontario, we have market value assess-

ment but we do not have market value assessment; we do have it when a municipality asks for it under section 63, except that it is sometimes known as section 86; therefore we have it but we do not have it, except where somebody asks for it, in case they have it now.

It is interesting to watch the process the ministry uses. Most members will know that a lot of municipal councils—too many, in my opinion—are absolutely infested with Tories. Every once in a while somebody from the ministry will take the little road show out and convince them, usually just prior to a municipal election, that there is a way to get a lot more money in the municipality's coffers. It is called, "Using the Section 63 Approach to Getting Market Value Assessment." Normally, they will make that request just prior to a municipal election so that it does not happen before election day; it happens just after. People then have three years to forget who did that to them.

There is another interesting part to the process. There is a way into market value assessment, but there appears not to be a way out of market value assessment. No one seems to have found the means by which it can be rescinded. Even if a council decides after it has done the dirty deed that it is terribly wrong, that it should not inflict this pain on the citizens, there does not appear to be a means at the disposal even of the ever-powerful minister himself to undo it.

Therefore, it is a strange and complicated mix that is before us this evening. I would like to pick up on one of the things the minister said in his opening remarks. He said market value assessment is a system that is simple and easy for people to understand. I would contend that only a misinterpretation of market value assessment is easy to understand; that is, if one is naive enough to think market value assessment is really what one's property is worth on the market. Of course it is not. It is indeed a formula. People are having great difficulty understanding the formula because—again, it is almost a personification of the Tories in Ontario—it says one thing and does quite another.

I happen to be going to Niagara Falls tomorrow to have a little look around at some problems citizens are having there with market value assessment. I thought it would be interesting to put on the record tonight just one example of what has happened in that community.

An old police station on Zimmerman Avenue is in the process of being sold. The assessment roll down there, under market value assessment, says that property is worth \$236,000. The

council is considering selling the property for \$40,000. The buyer wants another \$19,500 knocked off in lieu of parking space. According to market value assessment, the city would be selling the property for about \$215,000 less than market value.

I contend that is a little difficult for the citizens out there to understand. It is a little difficult for most people to understand, even those of us who work with assessment and work with the Ministry of Revenue. The minister has taken up the challenge of telling the people of Ontario of the virtues of market value assessment. He does so with great regularity and there are some people who are advocates of it. I have no problem with it in theory. My problem with market value assessment is as it has been introduced and practised in Ontario. There I think it is quite wrong.

The minister has a little road show now called "The Assessment Revolution," which I find another cute little turn of phrase. If there ever was a revolutionary, it is not the minister. He has a little road show that goes around trying to explain to people in Ontario all about the great massive changes in the assessment system. This is the very same road show that allowed him to get his picture in the *Toronto Sun* this week with a *Penthouse Pet*. That is the most notoriety he has had since he became minister. This is what is termed in the trade as a hard sell.

Market value assessment is a difficult one to promote. It is one which is most commonly brought forward without a great deal of public input. There are theoretical arguments that can be made—and I would make them on occasion—that the current assessment process without market value assessment is one that is pretty illogical too. But it seems councils are in a position where they take one set of kind of ridiculous numbers under the current assessment process and trade them for another equally ridiculous system.

To compound it even further, we have had a recent court decision which proves there have been pretty substantial inequities in an attempt to put assessment on condominiums. A recent court case is going to cost the city of Mississauga, it says in this *Toronto Star* story, about \$5 million. That complicates the process yet again and even further.

The bill itself, although it seems a rather straightforward one, does tend to compound a problem that has been around for more than a dozen years. It is clear the minister is not going to be nearly as stupid as some predecessors might have wanted him to be, and that is to implement

market value assessment holus-bolus across the province. No Tory worth his salt is going to be that dumb, now that they really know what the numbers are.

Mr. Samis: Some tried.

Mr. Breaugh: Some did try. The interesting thing is when they work up their little model of what market value assessment can do for a community, it depends on whether the model spews out numbers they like or do not like. For example, they did one on Toronto about three years ago. I have been trying to get a copy of that model since then. The latest word I have on the reason they cannot release it is that it is redundant. It is not up to date now. That is despite the fact the best number we could get an admission to in the House is that somewhere between \$3 million and \$4 million was spent in preparing that model. That is what the government will admit to on the record.

8:30 p.m.

I think it not untoward to suggest that it probably cost between \$7 million and \$8 million to put that model together. The numbers did not work, so the model has never seen the light of day. We do know that officers were brought in from assessment offices around the province. They worked overtime and weekends; they had expenses paid, got hotel bills, got per diems and worked very hard to put that model together. It is certainly a shame we have never been allowed to see what those numbers would do.

I think a good guess would show that market value assessment, if it were ever implemented here in Toronto, would cause the greatest hue and cry this town has ever seen. On the few occasions when there have been reassessments, the town has reeled from them.

Though the process sounds very sophisticated, as if assessment officers do a very fine job—and I am sure that sometimes they do—we also now know that sometimes they assess your property by driving down the street. It is such a common practice that it now has a name, which of course makes it legitimate. They call it windshielding. It means they look out of the windows of their cars and this is how they assess properties.

Mr. Nixon: Do not paint your shutters or veranda or you are dead.

Mr. Breaugh: The secret is to put all your improvements on the back of the house, because they have not devised a government vehicle that rolls through the backyards, only the front yards. Of course, people who are unfortunate enough to get building permits and things like that tip the

government off themselves. I do not think they realize it when they go into the municipal buildings in Oshawa or Toronto and get a building permit, but they kind of squeal on themselves. They sometimes cause the old assessment boys to come around and take a peek at them.

The sum of it all is that assessment in Ontario is really a dog's breakfast. It is a mess. It is a system jammed between two systems: it is part market value assessment and part nonmarket value assessment. Some municipalities are in it; they think it is quite good because they get the revenue. Some are in it and think it is lousy because they cannot explain to their citizens how buildings that on the open market would be worth \$40,000 or \$50,000 have a market value assessment put on them in excess of \$200,000.

Of course, the ministry staff quite rightly simply admit, almost gleefully from time to time, "We made a mistake on that one." The problem is that while there is a mechanism to fix the mistake it is certainly an awkward one. In some communities it involves great lineups of people appearing before the Assessment Review Board.

In that last great foofaraw here in Toronto, not this minister but the former minister, the current Minister of Government Services (Mr. Ashe), spent some time in the Legislature saying: "No, there is no problem with assessment in certain areas of Toronto. That is all wrong." Then he finally brought in a cute little bill that extended the period for doing an appeal for something like 6,500 residences, a pretty unusual thing.

The nub of it all is that there is a major problem here. The ministry seems to have taken the position it will slowly but surely go around Ontario and convince municipal councils to pass motions in the dead of night asking for market value assessment under section 63. I do not know whether the government will accomplish this.

I do not underestimate for a minute the ability of the ministry staff to make presentations to councils that are, by and large very friendly towards this government, by and large infested with Tories, and say: "Here is an appealing proposition for you. You do not have to worry about it. All you have to do is pass a motion that asks us to provide you with a study and another motion that asks the minister to implement the study. After that you can just walk away from it all, wring your hands and say: 'That is too bad. Market value is an evil thing, but we really did not do it.'" Again, this typifies the Tories in Ontario.

This is a very complicated process. When we ask home owners who is in charge of the assessment of their property, most home owners I have talked to still think the municipality has something to do with it. You try to explain, "Yes, it does, but then it does not." You try to explain the process to them, a very complicated one; and how they can appeal, again a complicated piece of business. You try to explain market value assessment, which is not really assessment based on market value. It is not quite as simple as that; it is a variation of it.

So without going on at great length, we know what the sins are. We know this is a position that is awkward for the minister. I am sure he has an awkward time trying to explain what exactly is going on with assessment in Ontario. I have heard him give speeches quite similar to his opening remarks tonight in which he explains how many municipalities in Ontario really have accepted the idea of market value assessment, but he never responds to that direct part of the question.

We are supposed to have market value assessment from one end of this province to the other. It is 12 years since that idea was broached, yet we still do not have it. There is a very good reason we do not. If he did that, he would have the assessment revolution about which his little roadshow talks and I am sure he is not quite prepared to deal with that. I know he has tried in vain for years to get this thing put in here in Metropolitan Toronto. The hard political reality would be that if the largest municipality in the province accepted market value assessment, if he could get it implemented here in Metro, then obviously all the other municipalities around Ontario would follow. It would be very difficult for them not to do that.

The reason it has not happened is that it would have visibility here in Toronto. One would actually be doing things to people such as Claire Hoy in assessing their residences, which would make them use their power in the media, that power of exposure of a very wrong idea on a large scale. While it is one thing to have a revolution down in Niagara Falls, in Niagara-on-the-Lake, in a portion of the town of Newcastle or in Sault Ste. Marie, those are kept as isolated squabbles at best and away from the central glare of the Toronto media.

We oppose this legislation. We think there is nothing wrong with the theory of market value assessment, but that is not what has happened in Ontario. We think the process is quite wrong. We think where municipalities have been, to use the

polite word, suckered into asking for market value assessment in their communities and where they decide subsequently the thing is quite wrong, there ought to be a way to right that wrong other than making each of the individual home owners go through the assessment appeal process.

There is a dastardly deed at work here. It is one that on its surface looks very simple and straightforward. It looks like a little housekeeping amendment. It has been a housekeeping amendment that just will not go away; it keeps coming back year after year. The government is trying to do something that is quite wrong. I believe the minister knows it is wrong. I believe if the minister felt for a minute this was the right way to do it he would be doing what Darcy McKeough wanted him to do, putting in market value assessment from one end of Ontario to the other. In some strange way I almost wish he would do that because that would ensure 40 years of government would fall in one quick stroke.

Mr. Haggerty: Mr. Speaker, I want to add a few comments on Bill 129, An Act to amend the Assessment Act, and perhaps follow up on some of the matters the member for Oshawa (Mr. Breaugh) mentioned. I was considering his approach to resolving some of the problems.

He talked about his trip to Niagara Falls. I am a member of the Liberal task force travelling around the province reviewing the Assessment Act. I have listened to a number of the issues that concern property owners and taxpayers, problems arising from the assessment increases that may affect a property under section 63 of the Assessment Act. This goes back to 1972 or 1974 when the Duke of Kent, Darcy McKeough, proposed market value assessment. It seems that year after year we bring in the amending bills required to keep the section in force.

8:40 p.m.

Section 63 of the act provides for the return of the assessment rolls for municipal taxation at present levels of assessment, except where a reassessment is introduced by proclamation at full market value or by equalization of assessment based on market value. I suppose it is a request. We are being persuaded by the regional assessment offices that one way to get rid of the number of complaints they get each year as they assess properties is to move in this direction, to bring about the so-called market value assessment.

Some 10 or 15 years ago the then minister responsible for assessment might have used the method that has been carried on by a number of

county governments in the past. They used to have what they called revaluation of property. They would catch up with property owners who had built an addition or made improvements to their property, or perhaps they would pick up odds and ends where somebody had improved their property without applying to the council for a building permit.

The former county of Welland had an exceptionally good program for keeping tabs on assessment throughout the county. At that time they used to go out for revaluation of assessment about every four years and they used to pick up quite a bit of assessment. The most important thing about this revaluation method at that time was to see that there was some equalization of assessment of property from one municipality to another.

One of the reasons it worked very well was that they used to appoint a committee to review assessment appeals. Now it is more of an adversarial system. Someone wanting to appeal his assessment has to hire a lawyer. I do not have to tell members the cost of that. Sometimes the appeal process can be quite lengthy.

The old system was perhaps one of the best. I was the chairman of the assessment committee of the county of Welland for a number of years. We listened to all the expertise at the assessment conventions held in Ontario. The main thrust at that time was to bring about some form of complete assessment within the county structure.

The goal of a county assessor in these communities at that time was to be appointed county assessment commissioner. Then he could start to build an empire, one could say. Of course, there would be some objection from those elected to the county council. They did not think this was the right approach to take.

One of the problems at that time, and I suppose it still exists today, was coming forward with a manual that would be accepted across Ontario or within a region. I am afraid one would still have to question the manual being used today. As I understand it, there are still some discrepancies that would prevent uniformity across a region. I hope section 63 will correct that, but I do not think it will.

There is not much difference between section 63 and the assessment practice of 10 or 15 years ago. Today, as I understand it, the legislation brings the assessment to full market value and then introduces a common denominator to bring it to one tenth of the market value. The average assessment in Ontario 10 or 15 years ago was about 33 per cent of the market value based upon

the 1941 figure. I do not know what assessors are using today. They may be using the 1960 or the 1980 base for market value. That can change overnight.

I suppose if I was to look at assessment and compare the value of my property, I would sooner go to what I pay for fire insurance. I think that is more closely based on market value assessment than what the assessors come up with. It is in a sense based on replacement value. It is not based on something transitory like interest rates because interest rates may be down today and property may be moving. Of course, when property values are moving up, the assessors are out in the area changing that assessment.

I have not seen at any time in the hearings we have had across Ontario where assessors are using the old method of depreciation. If one had a home for 10, 15 or 20 years, normally in the old assessment practice, a depreciation formula was used. Today that is not there. I am sure it is not there because, based on inflationary trends, if the price goes up on a house then the assessment goes up whether the value is there or not. I do not have to tell members about that.

One of the things we found in the reassessment to market value in the city of Niagara Falls, particularly relating to the industrial and commercial sector—and it can happen and is happening in other places in Ontario—is that under section 63 they use the whole number of assessment. In a community there may be \$50 million or \$60 million of industrial assessment—I just use that as a round figure—and when they come in to upgrade the assessment to market value they take that whole number and divide it over the whole area.

For example, the city of Niagara Falls lost some pretty heavy industry. Buildings were torn down through modernization of plants, bringing in new technology that did not require the elaborate buildings spread out over acres and acres. When those buildings came down, the assessment came down for that industry, which appealed it because the buildings were no longer there.

Under section 63, when reassessment comes in for market value that number does not change. It still stays the same, but new industry will have to pick up the loss of the existing buildings on old industrial sites. That is the problem with the current market value assessment. We found the same thing in the city of Windsor. As we look now to new technology, particularly in industry where buildings are becoming smaller and more

efficient, we are going to see drastic changes in this area.

The owner of Marineland brought it to our attention that we are now going out and assessing amusement rides. He has one of the largest rides in the area. Under market value assessment, if this is the method this government is now taking, it is going out to assess equipment in amusement parks. He brought out a good point. He said, "I already pay amusement tax every time someone rides that machine or that ride."

If one looks at the new technology that is coming into industries where there are going to be fewer persons working on the assembly line and more robotics, modernized machinery that is going to take the place of man, I wonder if this government is going to assess these new machines and say it is part of the production and they should be assessed accordingly. I do not know if the minister has thought about that or is considering a move in that area, but it is causing some hardships already.

I look at the riding of Erie that I represent and the difficulties in the tourist industry there. We have a number of amusement parks, such as the amusement park at Crystal Beach. Sherkston Beaches and Crystal Beach are in receivership. All of these rides are being taxed by property taxes, which I do not think is right, not when there are other measures or methods through which the government can collect provincial taxes. I suggest the minister is going to have to look at areas where his assessors are going to have to go out and perhaps use some common sense so these things do not occur. It will cause inequity within the system of assessment.

8:50 p.m.

Changes should be made in the Assessment Act. We should go back to the old method of having appointed persons sitting on an appeal tribunal. I think that is the best way it can be handled, instead of referring it to the Ontario Municipal Board with long delays in having persons hear assessment appeals. With the old method in the county of Welland, and I am sure it has worked as well in other places, the persons making a decision or hearing an appeal would take the time to review the property in question and compare it to other properties within its class or vicinity.

This does not happen today. A person making an appeal finds it rather difficult to get sufficient information. Information should be made available when someone is making an appeal. If one stresses a strong point to the assessor on appealing it, the normal practice is that the

assessor will make some minor adjustments to it; but the point is, they do not want it to come before an appeal. If the information is there, then they have to justify the decision they made in arriving at that assessment. In many cases they will have some difficulty moving in that direction, to substantiate their claims of how they arrived at that market value assessment.

The present system of assessment is going back to what it was a few years ago. At a market value of 100 per cent, one is assessing it in the Niagara region at about one tenth of the market value. Fifteen years ago it was about 33 per cent of the actual value of that property. If one were to purchase a property, one would just have to make reference to the assessment roll. At that time, 15 or 20 years ago, if they had to pay, say, \$3,000, they would know the property was worth about \$10,000.

It is rather difficult today to find the true value based upon the assessment because there are other things involved. Perhaps we should be looking at the method used in other countries where residential land is assessed more than the property is.

There are areas that should be looked at. The problems could be overcome if the government would come forward with a good piece of legislation once market value has been reached across Ontario. I understand there are very few municipalities left now. Very shortly, the minister will be bringing down the strong arm and saying it is mandatory across Ontario. That may be the right approach to take, but the government is going to have to have revaluation every four years to keep it up to date.

That should be mandatory; but not to increase taxes, since I can see once the government arrives at a particular plateau in assessment the old con game will eventually come out. A number of us who sat on municipal councils can see it will happen. The government will raise the assessment from 10 per cent to 20 per cent. This is what it has in mind. One mill in a small municipality would raise perhaps \$70,000. Under the revised assessment, an increase of one half mill would bring in the same amount of money. There are enough taxes being shifted on to local property owners. It is getting to the stage where it is unbearable.

One of the other areas I find difficult is where a person has purchased a new home and all the services are provided by the developer at no cost to the municipality. Those persons are paying a higher percentage of municipal taxes than persons who have received all their hard-core

services through local improvements. There is inequity in this particular area.

We opposed the bill for a number of reasons over the years and we are still in that position, are we not?

Mr. Nixon: Whatever the member says.

Mr. Haggerty: Whatever I say. I suppose we should go back and take a good look at it. We hope the minister will come forward with some new measures to bring equity within the regions on municipal assessment.

In the restructuring of local government that has taken place over the past 10 years, if the government had had a revaluation of assessment before it went into regional government as it has done in the Niagara region, many of these inequities would not be in existence today. Different municipalities in the Niagara region still feel they are being shortchanged in the cost of regional government as it relates to assessment. There is still some question of whether there is equity within the regional municipalities. I suppose that would also apply to the county restructuring.

The minister has a lot of homework to do. It can be done, but it should not be 10 or 15 years in the making.

Mr. Mancini: Mr. Speaker, I have a few short comments on Bill 129. Any time we talk about assessment we hear a lot of concerns and a lot of suggestions from different members on all sides of the House. The reason we hear these concerns and suggestions is the feedback we get from our constituents. It does not take very long to find that constituents in all parts of Ontario are not happy with the way in which the assessment is handled.

My friend the member for Brant-Oxford-Norfolk has said on many occasions, and I agree with him, that the assessment was better left in local hands. We have situations across Ontario in which there is tremendous disparity.

I can recall bringing to the attention of the House a tremendous disparity among different golf courses in Essex county. One golf course was very well taken care of with several expensive buildings paying a good deal less in property tax than one that was not quite so plush that had not as many buildings. If the present minister had been minister at the time, I know he would have resolved this matter for me quickly.

I never had it adequately explained at the time how it was feasible or possible that such a discrepancy could occur within a radius of 25 miles. That poor gentleman made and lost his appeals, so he is still paying an unfair price. Even

though the municipality is able to collect that money and spend it for the good work it has to do, it still is an unfair burden on that person.

I want to bring to the minister's attention a subject that was discussed with me by the mayor of Leamington, John Penner.

Mr. Ruston: A good fellow too.

Mr. Mancini: Yes, he is a very good fellow. He is very nonpartisan in his job, if I may say so, unlike some other local municipal officials we have met recently.

Mr. Nixon: I hope none of them is thinking of running against the honourable member.

Mr. Mancini: We never know. These things just kind of come up overnight.

The Acting Speaker (Mr. Robinson): Order.

Mr. Mancini: I thought I was going to be acclaimed, and now somebody wants to throw a wrench in the works. There is no justice in the world. Anyway, the mayor of Leamington was telling me he has concluded, and I believe a good number of other people have as well, that the value of the family home is in no way related to one's ability to pay certain taxes in many cases.

The minister knows as well as I do that people have a right to choose the type of lifestyle they want. Some people spend all their income, or as much of their income as possible, in rebuilding their homes, building new homes and keeping their grounds as best as possible. Other people, who have a different type of lifestyle and a different set of priorities, may want to go to Florida, take a cruise, spend a month in Europe or have a lot of cocktail parties. There is a whole range of things they may want. They may want to buy a small aircraft, a boat or a yacht.

Mr. Nixon: Or go to the races.

Mr. Mancini: Or even go to the races. I have heard of people doing that. I have only been there once myself in the past several years. I went with my colleague the member for Essex North (Mr. Ruston).

Mr. Ruston: I did not win anything, but he did.

Mr. Mancini: My wife made \$54 on the exactor.

The Acting Speaker: Now back to the bill.
9 p.m.

Mr. Mancini: The point I am trying to make, and I am sure everybody has got the point, is that there are hundreds of types of lifestyles that an individual family can lead of its own free will.

Does the minister not think we should consider the gradual elimination of the property assess-

ment on the family home and try to collect that money through income tax, which is probably the fairest tax there is? You pay on the basis of the moneys you have earned; therefore, if you wish to have a lifestyle different from that of your neighbour and if you do not want to sink the kind of money into your home that you feel will cramp your lifestyle, then you do not have to. At the same time, you will be giving your fair share to the municipality in order for that municipality to prepare and deliver the services that are necessary. I think that is one area we have to consider.

There is another area I am quite concerned about. The minister knows full well that his government this past year dished out approximately \$8 million, I think, in grants under the Ontario neighbourhood improvement program. They are direct grants to municipalities that are improving certain parts of their town, township or city in order that our towns and cities not die on us the way some American cities and towns have let certain parts of their cities go. The cost of rehabilitating these cities now is just impossible, and I commend the government for not allowing it to happen in the province.

The point is that while we agree we should transfer this money to the municipalities, at the same time we penalize the individuals who upgrade their properties. I am not sure what the rate is right now. If you improve your property by a value of more than \$3,000 and you are then reassessed—or is it \$1,500? What is the figure?

Hon. Mr. Gregory: I do not know. It is not my ministry.

Mr. Mancini: It is not in his ministry. Anyway, it is a good subject.

Those people are penalized, and the minister is the person who collects the taxes. I am sure many people are discouraged from improving their homes or, once they have improved their homes they are certainly surprised at what has happened to their property value or the so-called value of their property as assessed by his ministry.

That area has concerned me for some time. I continue to wonder why we do not do anything in that area. I wonder why we do not raise the limit or do something to encourage people to improve their homes, which of course would then improve their neighbourhoods, in the same way the government tries to encourage municipalities to improve certain parts of the areas they represent. As I said earlier, the ONIP grants have been great and have helped a lot of municipalities.

I want to close by saying that the market value assessment we keep talking about, which most municipalities do not have, is quite confusing.

You get a statement from your own municipality; it states that your property and/or buildings are worth \$12,000, \$15,000 or \$20,000, depending on the numbers they have been using, and then they factor a mill rate into it and you get so many dollars that you have to pay.

I find that quite discriminatory in the areas where new homes have been built. I have written letters to the minister, and I have encouraged other people to write letters to the minister, because once a person moves into a new home or property he finds the assessment in actual dollars is far greater than he had anticipated. Probably he has friends who have built recently or who have remodelled their homes recently. When he tries to compare, he asks, "Gee, why I am paying \$400 or \$500 more?"

One person in particular with whom I had communications, and who wrote to the minister directly, informed me it was very difficult to get information from the local assessment offices. I was told they have nine different items they factor before they finally assess the value of a home. They include the size, the location, the lot size, the quality of the material in the home, whether there is a fireplace or central air-conditioning and things of that nature. It is almost impossible for people to have this information in advance.

I know it would probably be very difficult to make this information known to all the people, but I do think when a call is made to one of the district assessment offices, in Windsor or wherever, the first things that should be given to an individual person or family are the criteria on how the assessment has been made.

"We have assessed you \$28,000 times such a mill rate and therefore you have to pay \$2,000 taxes because of the following nine points: yes, you have a fireplace; yes, you have a double-car garage; yes, you have imported marble from Italy; and things of that nature. The neighbour you are talking about does not have"—

Mr. Nixon: Who does that?

Mr. Mancini: I do not know anybody who has done that. I am just using it as an example.

Mr. Nixon: How about chandeliers?

Mr. Mancini: Yes, chandeliers. As I said earlier, people have different lifestyles. For example, I think my mom and dad have been to Florida once in their lives. They put most of the money they made into their home. That is fine; it is a decision they have made.

Mr. Nixon: They spent it all on their son.

Mr. Mancini: They spent it all on my four brothers.

In some ways, people are being unfairly assessed. I think the type of information we send to people who have complained about their assessment is not quite adequate. I know from his reply that the minister is concerned about it, and I think he should send directives to all his offices on how to educate people in short order about their assessments once they call the offices.

I am not sure whether this is the minister's policy, but it is very difficult to find out from the assessment offices why a property was assessed at the value it was. We should try to clear up that area. There is a big cloud of secrecy surrounding assessment, or people believe there is. It is very difficult to find out why the minister is doing the things he does.

With these few short comments, I will allow the minister to respond if he wants that opportunity.

Hon. Mr. Gregory: Mr. Speaker, I thank the honourable members for taking part in this debate and for making such supportive comments about the section 63 program.

Most specially, I want to tell the member for Brant-Oxford-Norfolk how nice it was to hear his speech again, word for word. I think there was a change in inflection on certain parts. That is probably because he has changed his interests and gives a greater accent to those things that interest him today. As I recall, at least the way it came across the chamber, his interests were not quite the same this year as they were last year, but I understand the changing positions on that side of the House, the winds of change.

9:10 p.m.

The member for Brant-Oxford-Norfolk opened by saying the section 63 program in market-value-based assessment is a very unpopular program, but I can tell him that 70 per cent of the municipalities have opted for it.

Mr. Nixon: What about the ratepayers?

Hon. Mr. Gregory: The elected officials, who are elected by those ratepayers, opted for it. If my friend could get 70 per cent of the people behind him, he would be over here. But I doubt that is ever going to happen.

Mr. Nixon: It is just a matter of time.

Hon. Mr. Gregory: He will keep working on it, I know.

He is quite correct when he speaks about farm lands and the possibly unfair assessment—I do not agree that it is—but they are reimbursed at 60 per cent, which I think came to the member as an

afterthought and he realized he was perhaps not quite accurate in describing the heavy burden that was being put on farmers. They do receive a 60 per cent rebate, which is quite healthy.

I would like to point out, in response to something the member for Essex South (Mr. Mancini) said about opposing the bill, that he is quite right. If members opposite wish to oppose the bill, then do so by all means, but they have to bear in mind that if this bill does not pass by, I believe the date is December 1, then everything in Ontario goes to market value. That is the reason for the bill, and I think the member knows it. We are not trying to change anything; we are possibly supporting his position in that he does not favour market value and we are trying to prevent it happening in the communities he is concerned about.

To the member for Brant-Oxford-Norfolk (Mr. Nixon), I say that I hope he gets his rebate cheque very soon from the Minister of Agriculture and Food (Mr. Timbrell). As a matter of fact, I look forward to paying him a property tax assistance grant or a retail sales tax grant in one or two years. I will be very happy to do that.

Mr. Nixon: A senior citizen's grant?

Hon. Mr. Gregory: Yes.

The member mentioned the Liberal task force that was travelling around Ontario and investigating assessment. I too look forward to its results. I am becoming a little sceptical about whether they will come, if one can believe what one reads in the newspapers. I generally do not read the newspapers, but I did read something that puzzled me a bit; it quoted Mr. Michael Brooks, a spokesman at Liberal headquarters.

"Results so far have been varied. People in some communities have called for the implementation of market value assessment. Others have urged its abolition, he said. 'It is overwhelming to me right now that we have to write a report,' Mr. Brooks commented."

I can understand his dilemma. What he is saying is that he found some people like it and some people do not. On the basis of that, I suspect they are going to have a report taking the mean average and saying the government is right in doing what it is doing.

Mr. Haggerty: We are not in Ottawa; we do not muzzle our staff.

Hon. Mr. Gregory: I am not saying my friends opposite muzzle their staff, but if what he says reflects the thoughts of the task force, then they are in big trouble.

I want to bring something to the attention of the member for Oshawa. He mentioned the

display—the travelling roadshow, as he called it—that is travelling around Ontario, telling about what he said was the assessment revolution. It is called The Assessment Evolution. There is a slight difference. What he said is about as accurate as his summation about my appearance in the Sun column yesterday. I am going to send this report across to him so he will know what it is about. Perhaps a page will take this over to the member who is laughing in embarrassment.

Mr. Piché: The lone member right there.

Mr. Breagh: We are just trying to even up the odds.

Mr. Piché: It must be lonesome up there. What is happening?

Mr. Speaker: Order.

Mr. Piché: How come he is all by himself? What is happening to that party?

Hon. Mr. Gregory: My colleague should not help me.

Mr. Breagh: Mr. Speaker, on a point of privilege: The member for Cochrane North (Mr. Piché) has noted that I am playing with a handicap tonight. Whenever we play the duffers, we give them a handicap. We figure we are just evening up the odds tonight, that is all.

Hon. Mr. Gregory: I would like to point out something else to the member for Oshawa that he has obviously missed. The section 63 program does not raise more money; all it does is equalize the assessments within a class. The amount of assessment and the amount of tax from that particular class remain the same. There is a misunderstanding there, and I hope it is clarified now.

He also said that nobody likes it; once they do it, they do not do it again. That is not a fact. We have had 27 repeats, and 13 are slated for repeat this year. Obviously, there are 40 municipalities that want it done again. We are doing approximately 40 a year at the request of municipal councils.

We are getting away from the act a little, but the question was asked—I repeated this once today, but I will do it again—concerning the condominium situation and the judgement of the court. That judgement was on a point of law. Many assessments—I do not know how many; perhaps about 60,000—are slated for appeal before the Ontario Municipal Board. At this time there is no way of knowing the extent of any shortfall, because some will not be accepted on the basis that they have been improperly filed, some will be granted and the assessment will be reduced, others will stay the same and some will

go down. There is no way of putting a handle on the amount of shortfall.

The member for Etobicoke (Mr. Philip) volunteered the amount of \$5 million as the shortfall in Mississauga. I do not know what kind of slide rule he has or how he came up with that figure, but it is strictly pulled out of the air. I suspect he got it from a newspaper: which strikes me as rather odd; taking a figure out of a newspaper without any basis for it. No one has that figure now. I mentioned to him and others that if there is a distinct shortfall there will be room for discussion, and I would certainly be a part of that. We have to wait until the opera is over before we start throwing figures around like that.

The member for Oshawa mentioned that the councils showed a certain amount of irresponsibility in going for section 63. They showed responsibility in passing the resolution asking for an impact study and further responsibility, facing election or not, in asking that it be implemented. I am standing behind it. A perfect example of that occurred in Niagara Falls, where one member of council who opposed section 63 was defeated when he ran for mayor. So that does not bear out the member's argument.

Newcastle was used as an example. In Newcastle there was a total of 970 appeals, of which 162 were on properties where the assessment had fallen as a result of reassessment. Somebody was getting somebody worked up into a sweat; they did not know whether their assessments had gone up, but they appealed anyway. As a result of that, we have had a loss of 0.617 per cent. In doing section 63, we built into it a two per cent cushion. They are well below that cushion. There has been no loss of income for the community.

Thirty of the remaining cases have been appealed to the Ontario Municipal Board and will be heard next year. The results have hardly—

Mr. Haggerty: Next year?

Hon. Mr. Gregory: After January 1; that is next year.

Mr. Haggerty: That is a year away.

Hon. Mr. Gregory: It could also be two months away, but not to a Liberal, I guess.

Getting to the member for Erie (Mr. Haggerty), I do not mean to sound smug, but the member has not got a full understanding of what section 63 does. For example, he mentioned that some properties in Niagara Falls were penalized because other properties had been torn down or whatever. The property owners whose taxes went up have probably been having a tax holiday

for years. Section 63 has redistributed those taxes so everybody is paying a fair share. The only ones we hear from are those whose taxes go up. I have been hearing from them.

9:20 p.m.

We discussed Marineland and Game Farm. I have heard from Mr. Holer at Marineland quite often, and we have been discussing it with them. We are looking for a solution to that problem. It has to do with the type of assessment on a roller-coaster, I think it was, being taxed as machinery or what have you. We are looking to solve that problem.

Mr. Haggerty: It is double taxation.

Hon. Mr. Gregory: No, I do not believe it is double taxation at all.

Mr. Haggerty: The government does not do it to anybody else.

Hon. Mr. Gregory: Not everybody has a roller-coaster in his backyard.

I do not think there was anything else I wanted to say to the member for Erie. I did want to comment on the suggestion of the member for Essex South of eliminating property tax on the family home and possibly substituting an income tax. I think he is getting into a municipal tax and, of course, I have heard this before. I do not think at this point very much time is being given to studying that proposal.

Mr. Speaker: Mr. Gregory has moved second reading of Bill 129.

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Motion agreed to.

Bill ordered for third reading.

INCOME TAX AMENDMENT ACT

Hon. Mr. Gregory moved second reading of Bill 131, An Act to amend the Income Tax Act.

Hon. Mr. Gregory: Mr. Speaker, this bill will clarify Ontario's treatment of two recently enacted federal income tax credits. It will also clarify the application of the forward-averaging mechanism as well as change some of the administrative provisions of the act.

The federal Income Tax Act was amended earlier this year to introduce two new income tax credits in the form of share purchase and scientific research tax credits. These credits were first announced pursuant to the federal budget of April 19, 1983, and are applicable to the 1982 and subsequent taxation years. Taxpayers claim-

ing these credits can reduce their federal tax payable.

Since Ontario personal income tax is calculated as a percentage of the federal tax payable, an amendment in this bill will provide that the Ontario tax is to be calculated as a percentage of the federal tax payable before any deduction in respect of the share purchase tax credit and after any deduction in respect of the scientific research tax credit.

The federal Income Tax Act was also amended last year to provide for a new system of forward averaging of income. Forward averaging replaced the income averaging annuity contracts and the former system of general averaging. Under the new rules an individual may elect to pay a refundable tax at his maximum marginal rate on qualifying income. All or part of such money may be brought into income in any subsequent taxation year, at which time it may be subject to tax at a lower rate and a credit will be given in respect of the tax previously paid.

Amendments in this bill will provide that any forward averaging tax or tax credit will be excluded from the determination of the amount subject to the social services maintenance tax—for example, temporary surcharge—the foreign tax credit and other Ontario tax credits. Other amendments in this bill will bring the administrative provisions of the Income Tax Act into line with corresponding provisions in the federal Income Tax Act.

Ontario imposes its own personal income tax, but this tax is collected and administered on behalf of the province by the federal government. Under the terms of the income tax collection agreement, Ontario is obligated to have the same or similar rules as the federal government for collecting and administering its personal income tax. The amendments in this bill will preserve the uniformity of the administrative provisions of the Ontario and federal income tax acts. None of the proposed changes involves any major change in the administration of Ontario's Income Tax Act.

Mr. Nixon: Mr. Speaker, as the minister was speaking I was thinking of all the factors that have kept the Progressive Conservative Party in power these 41 years: that is, cossetting and nursing the third party to split the opposition, paying it grants for a handful of members as if it had 30 in the House, things like that. It seems a good time to make that charge when there is only one measly Socialist in the whole House.

Mr. Samis: One and a half.

Mr. Nixon: One of them is considering conversion. So although he may bark away at me

a little bit, there is only one of them to defend the cause of democratic socialism or social democratism or whatever is their moral principle.

An even bigger thing that has kept the Tories sitting pretty all this time has been the fact that another government raises most of their taxes. The bill we are now dealing with is the vehicle by which the government of Ontario has shifted the tax responsibility to the government of Canada for these many years. I am convinced this has had an unwarranted supportive political effect on the Tories in this province.

One of the basic tenets of democracy is that the government that hands out the goodies—such as the 60 per cent tax rebates to farmers, the Jim Snow parkway, the Jim Allan bridge, the William G. Davis secondary school and the John Robarts library—should raise the taxes. Those people who distribute all that largess to the grateful taxpayers should have the responsibility to levy the taxes that pay the shot.

The Treasurer (Mr. Grossman) is out on another mission tonight, no doubt distributing free trips to his northern parishioners or whatever happens to strike his fancy. But it is interesting to see that he has been struggling to explain why the deficit of the province is so high that we are in danger of losing our triple-A credit rating. It is almost incomprehensible that this province has had this continuing difficulty when this year alone \$7 billion comes firehosing into the Treasury from the federal government. They collect the income tax we levy in this Legislature, with a tiny little amendment each year.

There are those who say we carry the responsibility for the provincial income tax by passing the legislation through this chamber and therefore it is a provincial tax. But the minister acknowledged the fact himself, in his brief opening remarks, when he quoted from page 3 of the compendium he was good enough to provide—dated 1984 in this instance. I will quote from it as well. It says, "Under the terms of the Ontario-Canada income tax collection agreement, Ontario is required to have the same rules as the federal government for collecting and administering personal income tax."

Suppose we in our wisdom did what appears to be something we should do and decided the Tory friends of the government had to pay at least a 20 per cent tax on income. Most of them are in the tax bracket of \$60,000 to \$100,000 or \$500,000 taxable income and many of them pay no tax at all. Suppose we were to decide in this House that we were going to establish a minimum limit and

people with incomes over \$50,000 had to pay at least a 20 per cent tax. We would not be permitted to do this under our tax agreement.

This agreement goes on. I quote from page 3, "The proposed amendments to Ontario's Income Tax Act are in accordance with the federal guidelines which were issued in October 1983." We are more than a year late on those guidelines, but it is a euphemism to call them guidelines. We must enact precisely the same amendments that are enacted by the Parliament of Canada or the agreement is broken. Then we would be left to collect our own tax, and the minister knows he would not choose to do that.

9:30 p.m.

One of his predecessors—I do not think it was the Minister of Revenue (Mr. Gregory), but one of the Treasurers—started shaking his chain one day. He said if the government of Canada did not do what Ontario told it to do, we would punish it by breaking this tax agreement and starting to collect our own income tax. Of course, that did not last long.

He farmed it out to a couple of his friends who are learned in the law. They were to look into the possibility and very soon they sent him a report that said we should continue with the agreement with the government of Canada because it was obviously extremely advantageous to Ontario.

I want to pursue this just a little from the compendium. On page 8, it states, "The powers of the Minister of Revenue," that is our good friend opposite who is sitting alone, "are exercised by the Minister of National Revenue, by the Deputy Minister of National Revenue and by those officials of Revenue Canada to whom corresponding powers have been delegated under the federal Income Tax Act."

It simply says that by decision of the government of Ontario, our Minister of Revenue is stripped of his powers. The powers he has under this act are not exercised by him but by somebody up in Ottawa, over whom we have no control whatever and who acts completely independently of this House.

This goes on and I quote again from page 8: "Actions, suits and other legal proceedings required to be taken under the Ontario act are taken by the federal government on behalf of the province." I simply put this before members to bolster my case that the provincial Income Tax Act is just a joke.

Under the former Constitution of Canada, the British North America Act, it was decided by the Fathers of Confederation that while the government of Canada could levy any kind of tax it

could get through Parliament and which could be sustained by the courts, the provinces could levy only direct taxes. That meant income tax was in our field and for many years the income tax was levied and collected by the administration of Ontario. It was quite distinct and independent from the government of Canada.

It was not until the sainted William Lyon Mackenzie King, in his earnest efforts to prosecute the Second World War and win victory for the allies and other good guys, decided that he would ask the various provinces to enter into an agreement for the channelling of revenues from income tax to the government of Canada that we had a union of these two taxes.

Obviously it was necessary for the prosecution of the war that income tax, the major revenue producer, be administered at the federal level. As a matter of fact the government of Canada rented the right to collect these taxes and it paid us a rent, which was an amount agreed to by the government of the day.

Now that agreement is so many points of the federal tax payable and it is quite easy to adjust. The government of Ontario has not done too much with it lately, except for one thing. It has left the tax return alone, emphasizing it is the rotten government in Ottawa that is levying these taxes. When we write out our income tax cheques or it is deducted at source—and a very large deduction it is in your case, Mr. Speaker—that money goes to Ottawa and there is a tendency for us to say, "Those people in Ottawa," and by the way that connotation has changed slightly in the past few weeks, "those bums in Ottawa are now taking our money in large amounts and we will see what they are doing with it."

In fact it is returned by agreement to Ontario, this year in the amount of about \$7 billion. What this government does with the income tax form is insert a nice purple page, a nice different colour that catches the eye of the person filling out the tax return, that says, "Province of Ontario Tax Credits" in big words.

It says in effect, "This means we are giving money back to you. You send the money to Ottawa. It is bad, but we are giving you money to help you pay your taxes. To you old folks we are giving a special deduction. To any of you people who are paying sales tax we give a special tax credit. To any of you intelligent people who write out a cheque to your local political candidate, preferably Progressive Conservative, we give a very rich return indeed, far richer than we give to those people who support charities or the church."

I want to emphasize the point that we have this deal with the government of Canada whereby they carry all the ashcans of the tax collector. They gather to themselves all the opprobrium of a government that levies taxes at the very highest rate of revenue. Then these smart politicians, who are so experienced in the chicanery of modern political practice, insert a piece of paper—they do not say, “We are not doing this,” they leave that blank—and say: “We are giving you back money. You fill in the figures and you sign here and then you can deduct that from the cheque you would otherwise send to Ottawa.”

I feel this practice has dislocated political realities in this province almost as much as the cossetting of the New Democratic Party by the government, which is another stated policy. Those two things, as far as I can see, are the only reasons the Liberals have not been in power in this province for many years.

There probably was a time when the minister's predecessor was at least thinking, “It would be nice if we grew up around here and had something to do with the control of the tax that is our largest revenue producer.” I have already suggested this returns something in the order of \$7 billion—actually quite a bit more than that—to Ontario. At the same time, the government of Canada, through a practice that was established under the former administration there, a very generous practice indeed, supports many of our provincial programs in education and the provision of health and welfare services and many others.

All that money added together is well in excess of \$4 billion. They collect \$7 billion in income tax. Add to it \$4 billion to \$5 billion in special programs and they are returning to Ontario this year alone close to \$11 billion out of our budget of about \$27 billion. In other words, our rich uncle in Ottawa is giving us more than 40 per cent of the total revenue of Ontario.

It is the worst kind of ingratitude to hear the Treasurer as he goes about his political business castigating the former government in Ottawa for not giving us more, for not being more generous, for not recognizing that Ontario deserves a larger share in the tax agreement. It really is incredible, particularly, that thinking citizens in Ontario continue to listen to that claptrap and continue, God help me, to vote Tory.

They have done that for the last time, as you and I well know, Mr. Speaker, and before another year rolls around, frankly I hope the honourable minister is one of the handful who returns to sit on this side, because it would be

good for his soul and the souls of a few of his buddies to come back here and sit in opposition.

Politicians can never hope to enter heaven unless they have had an opportunity to serve in opposition. I hesitate to think what may happen to some of these Tories if they have not had such an opportunity when they go to the Pearly Gates for the judgement. The question is going to be: “Has your political career been fulfilled? Has it been complete?” The answer will be a resounding no, unless they find themselves in the seats of opposition.

On the other hand, if there is any justice at all, the colleagues I am delighted to be here with tonight in such large numbers, who have worked so diligently over these 41 years offering alternatives in concepts and principles, are prepared to serve the people of the province. We will make it well known to the citizens of the province who have so long been misled—let me say misguided; I know you like that word better, Mr. Speaker—by various Ministers of Revenue that we in Ontario have benefited from a tax agreement which we are now adjusting slightly for another year and which has been so much in the best interests of Ontario.

I do not intend to vote against the bill, but I wanted to be sure the Minister of Revenue knew my views in this important matter.

9:40 p.m.

Mr. Breagh: Mr. Speaker, the member for Brant-Oxford-Norfolk (Mr. Nixon) is always entertaining. Most members like to hear him speak. I have heard him give that speech about five times now. Oddly enough, he is not getting any better at it. Maybe that is why there have been 40 years of failure around his cause. Perhaps that is one of the reasons why there is not a Liberal government anywhere in this nation any more. I am not even sure there is a county council left that is dominated by the Liberal Party.

I appreciate that he has tried in his own inept way to make the traditional Liberal argument, railing against the bill for 20 minutes and then announcing he is going to support it.

Mr. Nixon: If there were more than two New Democrats here, we could join together and throw out the government.

Mr. Breagh: I do not think we could join together with the Liberal Party on any matter.

Let me say at the outset we will oppose the bill. In essence, it does serve a useful purpose to have this bill before us. One of the little exercises I go through regularly when I meet with citizens, school groups and trade union groups, is to ask them a simple question. Is there an Ontario

income tax? It is really quite frightening to notice how few members of the public at large know for sure whether there is or is not a provincial income tax.

When I ask that question, the most common reaction I get is everybody tentatively says no. I believe the general public has the perception there is no such animal as a provincial income tax. They are not quite sure because they know most levels of government tax them whenever they can. There is a small amount of realization that in some way Ontario is involved in the collection of income tax but people are not sure how. The more common thought is that certain exemptions and tax credits are put together and sponsored by Ontario.

It is interesting—fascinating, in fact—that a government that is so into media work, public relations, advertising, all of that, has such a low profile with respect to being a participant in the collection of income taxes. I do not want to encourage the minister to run out and do a big public awareness program around the fact there is a provincial income tax, but it is not by accident that its profile is so low in that regard.

It seems to me the compendium provides an excellent opportunity to discuss fairness in taxation. While we cannot exactly hold the government on full hook now for a lot of the things which are being talked about in this bill, I think it is fair to talk about some of the matters covered in the compendium that are listed in this act and are very much a part of the principle of the bill.

The first thing I want to mention is this part. I think this addresses the question of whether income taxes are paid fairly by all citizens, whether they are understood by all citizens, and whether all citizens have an equal advantage on their income tax provisions.

Here is the explanation for this one amendment in subsection 2(2) of the bill. It has the purpose of “allowing the federal scientific research tax credit to reduce, in effect, Ontario tax payable, while not allowing the federal share purchase tax credit to do so.”

One really has to think about that for a minute. One has to understand who is doing it to whom now. When one goes a little further into the background, one should pause for a moment and think about this one as well:

“The share purchase tax credit was introduced to enable a corporation to ‘flow out’ its federal investment tax credit to purchasers of qualifying new equity shares of the corporation. In effect, the investment tax credit of a corporation earned

after April 19, 1983, becomes available to these shareholders in the form of a share purchase tax credit. This credit is then deductible by the shareholders in calculating their liability for federal tax.”

I simply want to pause for a moment and let the members savour that. Most of the people I represent do not have an opportunity to take advantage of this kind of income tax provision. Most of the people I represent have income tax deducted at source. Before they get their paycheques, governments get their money.

It is interesting to note that incorporated in this bill tonight is the principle of taxation that is probably most prevalent in Canada. The vast majority of Canadian citizens do not get to read these kinds of weasel words. They just pay income tax and they pay it before they are able to cash their own paycheques. The income tax laws in this country are full of such weasel words, which allow corporations, for example, to flow things out. Nowhere does it ever talk about their escaping paying their fair share of income tax; it is always couched in weasel words. Always they are allowed to flow out, always they are allowed to avoid, always they are allowed to be exempt.

It reminds one, as one reads through this kind of bill, that the income tax provisions themselves and the whole concept of income tax are supposedly temporary. It has been around for a while, long enough that most people would accept that it is no longer a temporary tax, but that is the concept. It was introduced in this country as something temporary, something we needed for a war effort. It is still in place today.

Let me just go on to a couple of other concepts that are in this bill, which are part of the principle here. It goes on to lay out at some length in the background material an admission that I do not think I have ever seen in print by a government publication before.

It says in not very bold print here, “Ontario imposes its own income tax.” Frankly, I do not remember ever seeing the government of Ontario admit this in writing before. It certainly does not advertise this fact the way it advertises the property tax credit, the senior citizens’ credit and all of those kinds of programs. It is an admission that Ontario does have an income tax and does participate in this collection process. It simply has an extremely low visibility factor, so to speak.

Let me just go on to a couple of other areas that are included in this because I think it is interesting to get a grasp of it. It gives one explanation of section 1 of the bill: “It ensures that

the temporary surcharge for the 1983 and 1984 taxation years will not be imposed on any forward-averaging tax, nor will it be reduced as a result of any forward-averaging tax credit pursuant to the provision in the federal act providing for the forward averaging of incomes."

I would dare say that pretty close to 95 per cent of my constituents could not make head or tail of that section of the act. The one thing they might catch on to is that this Income Tax Act federally is supposedly a temporary thing and that provincially another temporary surcharge has been added to it. I think they might be interested in knowing—and I would certainly be anxious to hear the minister's comments on it—just how long, O Lord, this temporary surcharge is going to be around, because it is now getting embedded, as they say, in the practice of taxation in this country.

Let me just quote one or two other little parts here. Here is an amendment being put to section 6 of the bill. According to the backgrounder here: "It provides that no interest is payable in respect of an underpayment of Ontario tax resulting from an adjustment of foreign income tax for 90 days after the first notification of foreign tax adjustment."

9:50 p.m.

All of this is classic Canadian tax law these days, written in a jargon that few people can understand and even fewer, I suppose, will ever get to see. I do not suppose I am going to get a lot of requests in my constituency office for copies of this compendium. I think they will probably be held in rather short supply. Most Canadians, most Ontario residents, do not get a chance to look at this kind of stuff, and most people who do have an opportunity to exercise some of those provisions will do so only with the assistance of accountants, tax lawyers and people like that.

That is the way the taxation process in this country has arisen. It is most unfair and most complicated. It is not really written in either one of our official languages but in the language of the bureaucrat, the lawyer and the accountant.

I will point out another things that caught my eye on the way through. Section 8 of the backgrounder says: "This enables the minister to acquire and dispose of any interest in a taxpayer's property that he is given a right to acquire in legal proceedings under a court order or through sale or redemption, and issue the equivalent of a garnishment order where moneys have been seized from a taxpayer by the police in the course of administering or enforcing the Criminal Code of Canada."

It struck me that is pretty clear in contrast to the other sections where they are talking about exemptions, flowing out and this, that and the other thing. When it comes to the point in this legislation when the government is going to nail somebody, it is pretty clear. Even I can understand it. I bet most of my constituents would understand that there is a lot of power involved there. There is an ability to do something, even outside the court system, which is unusual. When we get right down to it, when these folks want to grab someone, they sure know how to do it. The tax laws of Canada contain the provisions that allow them to do it.

Here is another part I thought was interesting. Section 9 supposedly "renders directors of corporations personally liable"—this part I understand, this sounds tough—"where the directors have not exercised reasonable care and diligence"—lo and behold come the weasel words again: what is "reasonable care and diligence"?—"for withholding tax obligations where the corporation failed to deduct or withhold or remit the required tax."

Section 10 "permits the destruction of a taxpayer's books and records without the prior consent of the minister if permission for such destruction has been permitted for federal income tax purposes." I am sure the minister would say: "That is bringing this into line. It is conformity. It is evening out the process. We are not really do anything here. We are just mirroring what the federal government is doing."

In summary, that is my objection. The government is mirroring what the federal government has done for some time. I anticipate, when Mr. Wilson begins to get a little more formal about his budgetary policies and gets into the striking of a budget next spring, we will see once again that the Income Tax Act in this country and the practices of Revenue Canada and of the Ministry of Revenue in Ontario will be stacked against ordinary Canadians.

It is quite remarkable. The poor in this country do not pay taxes for obvious reasons. They do not pay income tax for an obvious reason. They do not have any money nor do they have any income. More and more of them live below the poverty line and are having some difficulty surviving.

I have to correct myself because I said they do not pay taxes. That is wrong. We all know every time they buy a candy bar, a piece of clothing or a magazine, they do pay taxes. Every time they buy a litre of gasoline, or it may even be legal to

buy a gallon of gasoline these days, they pay taxes. They do not know it, but they pay them.

This government and the federal government have become remarkably adept at taxing people without telling them there is any taxation at work. They do that every day. The person who sells gum in a store is a tax collector for Ontario. The gas jockeys at any gas station are tax collectors. They never wanted to be tax collectors.

Most Canadians do not recognize they are tax collectors, but this minister does and the minister in Ottawa understands it very well. They have become remarkably adept at concealing taxation, simply by calling it by a different name, simply by having someone who is not recognized as an agent of the Ministry of Revenue do the collecting for them.

Canadians are having a little difficulty establishing who is grabbing taxes. If one said to most Canadians, "You probably pay taxes several times a day," they would say: "No, I do not. I pay income tax once a year when I fill out a form and they send me back some of my money."

A lot of people are beginning to have a little light twinkle on in their heads now. They ask: "What did they do with that money all year long? They took it out of my paycheque all last year and held on to it and I have to wait a full year to get my refund. What did they do with that money for the full year?"

As we read the provisions in this act, we see that government in Canada pretty regularly protects itself against the notion that maybe, just maybe, it ought to pay people a little bit of a refund on money held in its possession for the better part of a year before they get it back. It just may be that one of these days people in this country will become a little more fervent about the idea that when the government collects taxes, it ought to tell people it is the one doing that. They should be up front and honest about it. It ought to provide ordinary Canadians with some fairness. That is all anybody is ever asking for.

The rich do not pay taxes in this country because of this legislation, precisely because of it. It is legislation which needs to be interpreted by lawyers and accountants. Of course, to get that kind of interpretation, one has to have an income which allows one to have access to those folks. So the rich will use provisions such as are contained in this particular act to avoid the paying of income tax.

As members who have followed the taxation process in North America may know, south of the border people are talking about things like flat

taxes. It would be my judgement that maybe they are getting too simplified in that kind of a notion. I think the truth of it is that they are reacting to the idea that income tax provision in this country—and the United States is no different from us—are written in such a way as to be unintelligible to the vast majority of the population. They do not stand a chance unless they have their personal accountant or their personal tax lawyer to interpret the laws for them. I believe that is wrong.

Most people do not have as much awareness as they probably should of the amount of taxation they pay. I believe that to be wrong. I believe most people need to be more aware that this Ontario government has its hands in their paycheques before they even have an opportunity to cash them. I believe that to be wrong.

Over the centuries there have been a lot of rather emotional and lengthy arguments about taxation without representation and about people at one level of government taxing a society that is really quite helpless. It is not too far a stretch to apply the same interpretation of history to this bill before the Legislature tonight.

It is true that one can say it is public knowledge. This is a public bill printed in the provincial Minister of Revenue's name and it is being debated here tonight. But it would be refreshing to have the minister do an awareness program, as he does on many other programs run by that same ministry, so that perhaps some day people in Ontario might be aware that the Minister of Revenue for Ontario collects income tax indirectly—perhaps he does not do it himself, but he is a participant in that process—and that there is an income tax set upon one by Ontario.

It has been my experience that there are not many people in this province who really do have a full understanding of that fact. Second, it would be refreshing if we saw provisions written into an income tax act that an ordinary Canadian could look at and understand. That would be a major step forward.

For those reasons and a great many others I will not go into now, we intend to oppose the bill. We know the minister will probably get up and do his little song and dance about how we misinterpreted this and we did not understand that and have made yet another error. That is fine. He is quite free to do that, but I want to say that in my view, the whole taxation process in this country is quite wrong.

It is done in a way which I frankly believe to be less than honest. It has continued long enough for me to say it is not done by accident. It is not an

accident that the awareness of a provincial income tax is so low. It is not an accident that income tax provisions are written in a language that few people have a chance to even understand, let alone use.

10 p.m.

I believe that to be quite wrong. I believe there is a need for a revision of the principle of income tax in this country and the way in which taxation measures such as this one are put together. That time has come.

I use this opportunity to oppose this bill and intend to use any other opportunity to do the same thing when there is similar taxation legislation. They can call it housekeeping legislation or that which simply brings something into conformity with existing practices, policies and laws of the federal government. I do not care what they call it. Provide me with an opportunity, and I intend to speak against this type of taxation and to do so with amazing regularity.

Mr. Bradley: Mr. Speaker, I have a brief intervention to make in this debate on a bill that deals with income tax in Ontario. It arises because of an experience I had in the standing committee on public accounts with a gentleman who is now very much involved with Ontario Hydro. I am referring to Tom Campbell.

I recall vividly the day there was a plot to do some fed-bashing at the public accounts committee. The member for St. David (Mrs. Scrivener), who was her usual nonpartisan self that day in committee, had arranged to have the Deputy Minister of Finance brought in. He was to talk about payments made to the provinces by the federal government. We got into a discussion of income tax. Naturally, he had all the facts and figures to bash the feds. I somehow think we are not going to see a repeat of that performance in the public accounts committee because the political stripe of the government in Ottawa has changed.

I want to touch briefly on the fact, as my House leader has aptly pointed out, that Ontario does not have to carry the albatross of an income tax on its back. This is simply because most people in this country, and certainly in this province, think all taxes on income are levied by the federal government.

It used to annoy me no end, although it may not annoy me quite so often with the new government in Ottawa, to have people say—these would be people one would have thought were informed—"I just sent my income tax to Trudeau today." They would say it as though all the money were going into the Prime Minister's own

pocket or to the federal government to be expended on various endeavours at the federal level.

Provincially, we know that is not the case. We have a very large take, as the payments come back to the province. We benefit immensely from the income tax through the portion allocated to the provincial government. It is nice to see a bill of this kind come forward if only for the fact that it points out, as the member for Oshawa (Mr. Breaugh) explained—although he did so in a sparse way—that we do have a provincial income tax. It points out that the people across the floor do extract money from the taxpayers of Ontario. The taxpayers make those payments because they happen to have work or generate some revenue for themselves in other ways.

I well recall that the Treasurer (Mr. Grossman) threatened he might institute a provincial income tax. All of us knew that was a hollow threat, however, because this government would have to accept responsibility for raising taxes. I will not be repetitive and go into the details the Liberal House leader did in such an excellent way, explaining how this government is first in line to take the credit and last in line to take the responsibility. That is probably one of the reasons it has been in power in this province for 41 years.

The federal government, even if it is a Progressive Conservative government, is not solely responsible for collecting income taxes. This government benefits immensely from them and should be accepting some of the responsibility for income taxes levied and collected.

It is also noted by some in this House that in keeping with the practice of accepting all the credit and not much of the responsibility or the adverse publicity over taxation, we have some attractive provincial income tax credits which those of us on this side of the House would agree with. Indeed, on many occasions we called for them to be implemented. It is interesting to see that the provincial government once again gets the credit for those tax credits while not accepting the same kind of credit for the taxes that are levied.

The bringing forward of this bill this evening in the House also gives us an opportunity to touch on something that was a rather major issue in the federal election campaign. Although it did not necessarily influence the outcome greatly, it was talked about a lot during the federal campaign. My friend the former member for Rainy River raised this matter in the House some time ago.

Mr. Samis: What is his address?

Mr. Bradley: His address is the same as that of Michael Cassidy.

Mr. Samis: No, it is not.

Mr. Bradley: Oh no, it is not now. He found a heaven. Michael Cassidy found another heaven, it seems to me. But I do not want to be sidetracked. The Speaker wants me to stay on the bill, and the Minister of Revenue is interested only in my remarks on the bill.

I remember him asking a question in this House about when this government was going to go about ensuring we have a minimum income tax for wealthier people in Ontario. Certainly the leaders of the three parties nationally indicated some interest in a minimum income tax for rich people in this country who are not paying taxes for some reason or other, who are able to manipulate the tax system in such a way as not to pay any taxes.

We understand that on occasion there are exemptions or special tax breaks for those who governments feel are making payments or investments in certain areas that are beneficial to the federal government or the province. We understand that can happen.

There was one issue that struck a responsive chord in the electorate of this country, and that was ensuring all people, regardless of their income and particularly those in the high income brackets, paid some kind of income tax. We heard figures of from 11 per cent to 20 per cent of income going for income tax and that these people would not be able to dodge their fair responsibility.

Unfortunately, this bill does not provide for that; so it is incumbent upon us in the provincial Legislature to encourage our Minister of Revenue, who would have a great deal of influence now with the Minister of National Revenue, to implement what was talked about during the campaign, even though that would be one of the few items brought to fruition by the federal government after being promised. It appears to be doing all those things that were not promised, and some of them actually end up being broken promises in terms of what is being implemented.

I hope the Minister of Revenue will use his prestige and good offices to attempt to persuade his federal colleague to implement a fair tax system which would call for a minimum income on wealthier people in this province so they can pay their fair share. Nobody is asking that they be bled to death; we are simply asking that they

make their contribution as others in our society do.

I promised I would not be lengthy on this.

[Applause]

Mr. Bradley: I am encouraged when I hear the applause, but I will not rise to that particular debate, except to conclude in some agreement with the member for Oshawa. He points out aptly that the Income Tax Act is almost impossible to read for those of us who are lay people, not lawyers or tax lawyers, and this is true whether we are dealing with federal legislation or provincial legislation. Some day it would be nice if we could find ways of enacting legislative rules and regulations the average individual could understand.

10:10 p.m.

When I fill out my income tax form, I pity those who have nothing to do with government or with filling out forms who are attempting to fill out an income tax form. I have a relatively simple form because I do not have a lot of money—I simply have my income from here to figure out; so there is not a big problem—but even I have a difficult time figuring out the income tax form and putting down the appropriate numbers as the tears are falling on the page.

I simply want to touch on some of the items my House leader has touched on because they are worthy of emphasis. They were recalled to my mind by the visit to the public accounts committee by Tom Campbell, who seemed quite prepared to provide all the facts and figures with which to hammer the federal government on that occasion. I would only hope we will have the same exercise initiated by someone on the government side in the public accounts committee again now that we have a Progressive Conservative government in Ottawa.

Mr. Haggerty: Mr. Speaker, I want to add a few words to Bill 131, An Act to amend the Income Tax Act. I want to talk about two or three sections in the explanatory notes.

One is subsection 2(4). The amendment provides that the worker's compensation and social assistance payments, which were formerly exempted from taxable income by annual federal and Ontario orders in council, will continue to be excluded from the calculation of the foreign tax credit.

We talked about property tax assessment and bringing in some measures of uniformity and equalized assessment relating to property taxes, yet we find under this section—under the Cor-

porations Tax Act, I suppose it would be—that there is no equity within the tax base here.

To exempt the foreign corporation from paying the cost of workers' compensation and social assistance payments means somewhere along the line other industries in Ontario will have to pick up that extra tax burden. I do not think that is right in today's circumstances. Each corporation, whether it is foreign or based here in Ontario for a number of years, should be treated in the same manner. I do not have to tell members about the difficulties there are just to pick up the increase in the workers' compensation assessment charges from local industries in Ontario. To allow a company, under a minister's order here, to escape paying its share is not justified, nor is it a fair form of taxation.

Previous speakers have spoken about the area of personal income tax in Ontario. Through loopholes in our provincial and federal income tax, persons with a higher income can find ways and means to avoid paying their share of the tax base in Ontario or Canada. I think we will have to have some equity in this area and plug those loopholes so they at least pay their fair share compared to the wage earners at the lower end of the scale.

There was an article in the *Globe and Mail* on Saturday, November 17. I should read this because I think it would drive home a point to the minister. It is headed, "Firms Keeping Employees' Taxes." This is the federal tax collector, Mr. Beatty.

The article goes on to say: "More than \$328 million in taxes deducted from the pay cheques of thousands of Canadian employees, in some instances by foreign-owned corporations, has not made its way into the federal government's coffers, Revenue Minister Perrin Beatty says.

"In addition, one third of the \$3.5 billion in back taxes owed to the federal Treasury is a result of some corporations, also including ones that are foreign-owned, not paying their tax bills, he said. More than 119,000 employers have deducted a total of \$328.8 million in income tax and Canada pension plan and unemployment insurance contributions from their employees but have failed to remit payment to Revenue Canada."

That is quite a large amount of money that belongs to the tax collector of Ontario and to the federal government as well. When we allow taxes to escape the federal and provincial authorities in this manner, there have to be some measures under this bill, or perhaps the bill should not even be introduced at this time

because of the difficulties we now find in trying to collect back corporate taxes or personal income taxes. I thought the minister would be putting something in here to go after the persons owing taxes in Ontario.

He goes on to say further, and I think I should draw this to the attention of the members:

"Foreign corporations that have outstanding taxes will come under closer scrutiny by the tax department with the addition of 30 auditors in 1985-86 who will 'be looking' at foreign taxpayers.

"All businesses are supposed to send the taxes they collect from employees to the federal Treasury every month and, 'where a company is not remitting, the tax department acts as quickly as possible. But resources have been so strained there has been a difficulty across the board for collection people.'"

I can well recall the last federal election, where this was an issue. Certain tax procedures used by the former federal Liberal government were such that people thought they were like hatchet men out there trying to get one or two individuals. When we find this amount of money out there, perhaps that government was taking the right approach in trying to retrieve some of those back taxes.

He said: "From 1980 to 1984, there was a significant increase in the number of corporations owing back taxes and in the number of businesses that deducted income tax from employees without remitting it to the department.

"In 1980, 64,000 corporations owed \$669 million in back taxes and as of March 1984, 81,000 corporations owed \$1.055 billion in back taxes."

I could go on, I guess, to find out that either this government or the Minister of Revenue is a little bit lax in going after its share. I suppose the question I should direct to the ministry is, how much of these back taxes should be coming to Ontario? What share should be coming to Ontario in delinquent corporate and personal income taxes?

There must be another bundle that this province would be getting now if it had taken some initiative to go after it. Maybe my colleague the member for Brant-Oxford-Norfolk is on the right track when he says it is time for Ontario to be going after its own taxes and getting its share without looking to the federal government to carry it for it. If we can have this amount of money still outstanding, it means there are other taxpayers who have to pick up the tab and carry that load.

I suggest the minister should be moving in this direction now. In fact, there should be something in this bill to say that he is going after the province's share of those back taxes. That, I suppose, would be for the 1983 taxation year.

I am also concerned about section 9 of the act. The explanatory note says, "The addition of section 36a renders directors of corporations personally liable for the amount of tax required to be withheld on payments made to taxpayers, where the directors have not exercised reasonable care and diligence and where the corporation has not remitted the tax before becoming insolvent or commencing dissolution proceedings."

There is another area. Maybe someone owes taxes from three or four years back, and the province or the federal government has not moved to collect back taxes in that area. Once the firm goes into receivership, bankruptcy or insolvency, then I do not think there is a winner in any case, and the province loses money.

I suggest the minister should get his tax collectors together with the federal authorities and go out and get some of this money that is owing to the people of Ontario. He cannot go back and hide forever under section 4 of the act, which says that under an order of the minister we can wipe out any taxes that should be coming to Ontario.

When we look at the compensation cost today for workers' compensation, I do not think it is justified to have that clause in there under circumstances such that other small businesses in Ontario have to have such an increase in workers' compensation assessment, some of which have been increased by about 20-odd per cent, I think it is, over the last year.

I suggest the minister should get off his good intentions and go after this money that should be coming to Ontario.

10:20 p.m.

Hon. Mr. Gregory: Mr. Speaker, once again I would like to thank the honourable members for their comments in regard to this bill. I am sure it is realized, as it was said in the preamble, that the bill is presented to bring the Ontario Income Tax Act in line with the federal Income Tax Act.

To tell the truth, I am very surprised at the number of people opposite who are not aware Ontario has an income tax of its own and that it does collect income tax. As was stated, we have an agreement with the federal government. It dates back to about 1940. I believe Mitchell Hepburn was the Premier at that time. It seemed

like a good idea at the time and was perhaps one of the few good ideas that government had.

We have been working under this arrangement for many years and we are one of the many provinces that has an agreement. There is only one province that does not have an agreement and collects the tax itself, and that is Quebec. It seems to me that if both sides are on balance, then we probably are doing something right both from an economic standpoint and from a voluntary standpoint.

What I am hearing is that the federal government is objecting to doing this major chore for us. It is probably cheaper in the long run for both to be done on one form. It is surprising to me that people are unaware Ontario collects a tax, because on any income tax form I have filled out, and I do not know whether the members have filled one out lately, there is a definite section—

Mr. Haggerty: Have you filled one out?

Hon. Mr. Gregory: Yes, I do, as a matter of fact. I do it on a regular basis and have for many years.

On every one every year, there is a section that says "Ontario Tax." It does not say on behalf of Canada or anything else. There is also an Ontario tax grant, the Ontario tax credit, as my friend the member for Brant-Oxford-Norfolk mentioned. He says we should be giving the federal government credit for the Ontario tax grants, notwithstanding that it is a return of tax money from Ontarians, as is all the tax collected.

It seems all-important to that side that we give credit to the federal government then and now for collecting this tax from Ontarians. Somehow the logic of that totally escapes me, but I suppose the bill is difficult for all of us to understand. Therefore, there was very little to talk about and that is what the members opposite chose to discuss. There are a couple of thing I should mention. I have already covered the agreement with the federal government.

The share purchase tax credit is a credit given by the federal government. Its purpose is to increase investment in business. The provision in this bill provides that Ontario will not adopt this credit because it has the small business development corporation program in which we are doing the same thing. The member for Erie (Mr. Haggerty) mentioned that problem. Because of the SBDC program, it would be a double benefit if this tax benefit were allowed to Ontario taxpayers.

The temporary surcharge was mentioned. My friend the member for Oshawa wanted to know when it was going to end. It is going to end on

December 31, 1984. One of the sections in this bill makes that possible.

On the foreign tax credit, the Ontario Income Tax Act applies only to individuals. The province has separate computations. The provision in the act is to exclude workers' compensation from the calculation of foreign tax credit. This compensation is not subject to tax in Canada.

The member for Erie mentioned the outstanding taxes and suggested we should be going after outstanding Ontario income tax. He mentioned we should probably be ashamed because we are not doing this. I am not ashamed of the record of the Ontario Ministry of Revenue, but there is some question about the reputation of Revenue Canada. I would not want that reputation. I think our method of going after outstanding taxes, which we handle, is a lot more sensible. It is more dependent on voluntary compliance than on the heavy hand of the auditor.

The federal people choose the way they want to do it and they have chosen some rather ill-advised ways of doing it. At any rate, I think the members know that what they are suggesting is totally unworkable. The federal government, whether it be the former one or the present one,

would object to us getting into the act. I think it makes absolutely no sense at all.

The Deputy Speaker: Is it the pleasure of the House the motion carry?

Some hon. members: No.

The Deputy Speaker: All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Motion agreed to.

Bill ordered for third reading.

MUNICIPAL TAX SALES ACT

Mr. Rotenberg moved, on behalf of Hon. Mr. Bennett, second reading of Bill 102, An Act respecting the Sale of Lands for Arrears of Municipal Taxes.

Mr. Rotenberg: With three and a half minutes to go, I suggest it would not be a good thing to start this bill this evening.

On motion by Mr. Rotenberg, the debate was adjourned.

The House adjourned at 10:27 p.m.

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No. 123

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Legislative Assembly of Ontario



Fourth Session, 32nd Parliament
Thursday, November 22, 1984
Afternoon Sitting

Speaker: Honourable John M. Turner
Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday, November 22, 1984

The House met at 2 p.m.

Prayers.

VISITOR

Mr. Nixon: Mr. Speaker, just before you call the first order, I want to introduce to you and the members of the House a political colleague of ours, Vince MacLean, a member of the Legislative Assembly of Nova Scotia, from Sydney.

USE OF TIME FOR ESTIMATES

Mr. Mackenzie: Mr. Speaker, on a point of order: Standing order 48(b) says, "The chairman of a committee considering estimates shall apportion the time available among the minister, opposition critics and other members."

I would like to point out that yesterday we spent five solid hours listening to the Minister of Labour (Mr. Ramsay) present his opening statement. We had already cut back the Labour estimates from 22 hours to 18 hours. I consider it a gross misuse of the time of members of the House to listen to a minister read his statement for five hours. It is certainly a misuse of the intent of the estimates of this House.

Mr. Speaker, I would ask you to look into the matter because I think the standing orders of the House are being violated with that kind of ridiculousness. I do not know what we are paying the members for if it is just to sit there for five hours listening to a minister reading an opening statement.

Mr. Speaker: As the honourable member is well aware, that does not constitute a point of order because the Speaker does not have any jurisdiction over what goes on in the standing committees.

STATEMENTS BY THE MINISTRY

MINISTRY REORGANIZATION

Hon. Mr. Norton: Mr. Speaker, I am sure members of the House will acknowledge that health care is a major priority of this government, representing as it does 30.6 per cent of our estimated total provincial expenditures in this current fiscal year. I believe they will also recognize that the provision of health care services in Ontario is one of the most widely

accepted and approved-of government-funded programs.

In recent years, however, we have seen several important pressures coming to bear on the health care system. Our need to provide appropriate services for a growing elderly population, the development of costly high technologies in surgical and diagnostic procedures, our need to keep pace with rapid advances in care for the mentally ill, and the rising utilization of health care services are just a few of the pressures I might mention. Therefore, it is going to require a great deal of skill and foresight on our part to continue to manage effectively this health care system in an environment of change and with finite financial resources.

In order to position the Ministry of Health to deal with these challenges, I am announcing today a ministry reorganization, which I am convinced will give us a solid foundation to meet the future with every confidence.

The primary objectives of the reorganization are: a renewed impetus in the development of public health programs, nursing home services and the provision of appropriate mental health care in the province; a recognition of the major role played by the hospital sector in the Ontario health care system and its impact on the province's spending priorities; the maintenance of strong financial management and accountability within the health care system; and a more equitable distribution of senior executive responsibility within the Ministry of Health.

Several weeks ago I announced the creation of the Ontario Implementation Group on Health Promotion and Disease Prevention under the chairmanship of Steve Podborski. It has been given a mandate to bring to me recommendations for specific actions and programs concerning the whole range of promotion and prevention activities. In order that we can now move ahead and develop the appropriate health promotion and disease prevention initiatives, I wish to inform the members that the new office of health promotion has now been established within the ministry.

Dr. Boyd Suttie has been appointed chief of the office of health promotion and brings to this position an extensive experience in public health

and wide knowledge of government operations. He is assembling a team of talented and capable people from within the ministry to work with him, and I expect the office of health promotion to be fully operational as early as December 3.

I hate to interrupt the debate that is taking place under the gallery.

Mr. Speaker: Order, please. I have to ask the people under the gallery to please limit their conversations.

Mr. Nixon: He is just breaking the news that all the Brantford delegates are for the Treasurer (Mr. Grossman).

Hon. Mr. Norton: The member thinks he is going to unnerve me, does he not?

Mr. Speaker, the office of health promotion has been given responsibility for the co-ordination of all health promotion and disease prevention programs across all branches and divisions of the ministry. Dr. Suttie has been assigned the necessary authority to carry out this mandate and will report directly to the deputy minister.

The office of health promotion and the Ontario implementation group under Steve Podborski will now work in close association to develop the programs, policies and support services that I expect will enable us to make major gains in raising health levels within our society.

In addition to creating the new office of health promotion, the divisions of responsibility among assistant deputy ministers in the ministry are also to be realigned.

Mr. Randy Reid has been appointed assistant deputy minister of institutional health. Mr. Reid will be responsible for the operation and funding of public and private hospitals, the management of the ministry's hospital planning and capital finance programs, and the development of policy and service directions within the hospital sector.

Dr. Dennis Psutka has been appointed assistant deputy minister, emergency services, laboratories and drug programs. Dr. Psutka will have responsibility for the development, direction and co-ordination of comprehensive emergency health services in the province. He will also oversee the operation and maintenance of the ministry's public health laboratories, the operation of the Ontario drug benefit program and the publication of the drug index-drug benefit formulary.

Mr. Darwin Kealey will continue as assistant deputy minister, community and public health. Mr. Kealey's management responsibilities will include the public health sector. He will be responsible for nursing home operations, the development of community health programs

throughout the province, as well as the underserved-area program and French-language services. He will continue to be responsible for information and systems.

In recognition of the priority being assigned to nursing home services, a new nursing home branch will be created. This will provide us with a focus for the effective development of nursing home care in Ontario and ensure compliance with nursing home regulations through licensing, inspections and enforcement procedures.

Mr. David Corder has been appointed assistant deputy minister for mental health. Mr. Corder's responsibilities will include the administration of the province's 10 psychiatric hospitals, the development of community-based mental health programs and liaison with community services agencies, and the development of long-range policy and planning for mental health care.

2:10 p.m.

Ron LeNeveu will continue as assistant deputy minister, administration, finance and health insurance. Mr. LeNeveu will provide senior management and direction for all ministry programs related to administrative and financial services, the Ontario health insurance plan, human resources development within the ministry and the affirmative action program.

In summary, my ministry's five major divisions as a result of this reorganization are: institutional health, under Assistant Deputy Minister Randy Reid; emergency services, laboratories and drug programs, under Assistant Deputy Minister Dennis Psutka; community and public health, under Assistant Deputy Minister Darwin Kealey; mental health, under Assistant Deputy Minister David Corder; and administration, finance and health insurance, under Assistant Deputy Minister Ron LeNeveu.

I believe this organization will give the ministry the means and scope to deal effectively with health care challenges of both the present day and the future. With the talent and leadership abilities we have in all these appointments, I am confident the ministry will continue to provide the people of Ontario with the high level of health care services they are accustomed to expect.

OPP PENSION FUND

Hon. Mr. McCague: Mr. Speaker, I am pleased to announce that a supplementary pension benefits fund will be established for members of the Ontario Provincial Police. The fund will provide for retirement on full accrued pension after 30 years of service and the attainment of age 50, based on actual years of

service at retirement. This will bring pensions for members of the OPP into line with those available to police in the municipalities who are members of the Ontario municipal employees retirement system, better known as OMERS.

The cost of this supplementary pension benefit will be shared. Members of the OPP will be required to contribute two per cent of salary in addition to their current contributions to the public service superannuation fund and the government will pay a similar amount. The plan will come into force on January 1, 1985, or on the date of proclamation of Bill 54, whichever is later.

This is a well-deserved benefit to a force that serves this province with dedication and distinction.

FAMINE RELIEF

Hon. Mr. Wells: Mr. Speaker, the people of Ontario and the members of this House have been horrified by the tragedy taking place in Ethiopia and in other countries of the Sahel region of Africa. The world has been witness in recent weeks, through graphic television reports, to the sufferings of millions of people as a result of the worst famine in recent years. Peoples and governments of the developed world have been enormously moved by this tragic situation and I do not have to tell the members of this House of the tremendous response from Ontario residents who have given most generously to many private fund-raising initiatives.

Today I would like to report to the House on the steps this government will be taking immediately in conjunction with the federal government and the Canadian Red Cross. The government of Ontario has consistently supported the efforts of the Canadian Red Cross Society in its action to relieve the suffering of disaster victims across the world. In continuation of this practice, we will provide \$100,000 to the Red Cross which will help support its current programs in Ethiopia and elsewhere in Africa. This brings to \$150,000 the total moneys granted to the Red Cross this year by the Ontario government for relief programs which include assistance to African drought victims.

Last week I told the House that Ontario would be co-operating with the government of Canada in a national effort to provide assistance to Ethiopia. Today I would like to tell the House that we will purchase 5,000 tonnes of wheat from Ontario farmers as a contribution towards the total Canadian food assistance program for Africa. The cost to the Ontario government will

be approximately \$1 million. The Canadian International Development Agency, or CIDA as it is commonly known, will assume all responsibility for handling and transportation of the grain and will ensure that it will reach those in need.

The grant to the Red Cross and the Ontario wheat purchase are strong indications of this government's concern on behalf of all the people of Ontario. These actions, combined with the generous contributions made privately by Ontario residents and the government of Canada's very excellent program, will bring Canada's total contribution to the African relief program second only to that of the United States of America.

ORAL QUESTIONS

SCOTIABANK TOWER

Mr. Peterson: Mr. Speaker, I have a question of the Minister of Municipal Affairs and Housing with respect to his speedy signing of the official plan amendment for the Scotiabank tower development.

I gather from press reports the minister was not aware of the secret deal, the \$2-million payment that was made by Campeau to overcome the objections of a particular group. Why would he not ask questions? Why would he move so hastily? Had he been aware, would he have signed that amendment as quickly as he did?

Hon. Mr. Bennett: First of all, Mr. Speaker, let me suggest that I did not move with great haste. I moved at the normal speed in approving that type of operation.

I was advised by the applicants that the objections had been withdrawn—and this sort of thing happens on a fairly regular basis. When objections are withdrawn, the minister has the prerogative of so advising the Ontario Municipal Board, saying the case is being withdrawn from the board. As a normal procedure, the minister signs the amendments to the official plan at the same time, and this was done in the Campeau case.

I am not going to answer anything to the hypothetical situation put by the Leader of the Opposition in the second part of his question.

Mr. Peterson: The minister may not understand it, but there are important questions of public morality here. Surely he has a responsibility to involve himself in that question.

Mr. Speaker: Question, please.

Mr. Peterson: The behaviour of the developer, the politicians in the case and the intervening group at the time are open to question

and the integrity of the entire planning process is at stake here.

Would he not agree that his first responsibility is to make the details of this whole deal public? Then the press and the people who care about public morality could draw their conclusions as to what exactly transpired here and we could learn lessons about what our real responsibilities are. Is that not the place for him to start?

Hon. Mr. Bennett: My responsibility is to answer for this as it relates to the Planning Act—whether the actions taken are in accordance with the Planning Act and my responsibilities under the act. That is exactly what I did. I read in the newspaper about certain deals that had been made between Mr. Campeau and his corporation, the Bank of Nova Scotia and the co-op organization in this community. I am not sure what part the three aldermen had to play in it. I am not one bit sure of that.

Mr. Peterson: Why did the minister not find out?

Hon. Mr. Bennett: Just a moment.

I did say to the press—and I am sure members read it in the press and heard it on television—that as a result of a letter from the mayor and the planning director of Toronto, I asked the Attorney General (Mr. McMurtry) to review the situation. I asked him to see whether there were any outstanding legal problems in whatever took place.

But very clearly it does not relate to the Planning Act. It was a whole different matter, involving the conduct of what went on between two private organizations, the co-op people and the Campeau Corp., and it happened to be in order. It did not impact on the Planning Act.

Mr. Rae: Mr. Speaker, the minister cannot play fast and loose with reputations like that. If it does not have anything to do with the Planning Act, will he please tell us what acts he thinks have been infringed? Why would he have referred the matter to the Attorney General unless he was prepared to come into this House and say exactly what it is that he is worried about? The minister should not throw names around. He should not throw around references to the Attorney General unless he has something specific on his mind. If he has, he should tell us what it is.

Hon. Mr. Bennett: Mr. Speaker, if I had not referred it to the Attorney General I would have been asked why I did not. I took the opportunity to ask him to look into the matter. I am not throwing any aspersions on anyone.

Mr. Rae: The minister certainly is.

2:20 p.m.

Hon. Mr. Bennett: I am not. I am asking for clarification of the whole situation from the Attorney General. Indeed, the people in my own ministry are looking at other aspects, but I am not throwing any aspersions, nor am I condemning anyone.

I agree with the Leader of the Liberal Party that, if what has transpired is correct, it certainly has long-term implications for planning in other communities. It could aid and abet a use of the Ontario Municipal Board for a purpose for which it was never intended.

I said very clearly to the press I do not think people should put in objections in order to try to use it as a fund-raising process. I made that very clear as the minister reporting for planning.

Mr. Peterson: All the politicians or developers should use this device to make their own private deals. Who knows where that will lead? Surely the minister has a responsibility to find out all the facts and to air this matter.

I am not suggesting there is anything criminal in the circumstances, but it does point to a very serious potential abuse of planning for sale, to quote the commissioner himself.

Mr. Speaker: Question, please.

Mr. Peterson: When it is a matter of planning for sale, then the minister has a responsibility whether he likes it or not.

I am asking the minister two things. One, will he make the facts of this case public so we can all learn and at least know what the issues at stake are? Two, will he develop with his officials a new rule so this kind of perceived abuse will not go on again?

Hon. Mr. Bennett: The response to the latter part of the question is exactly the reason I have asked my people responsible for municipal affairs and planning and also staff in the Ministry of the Attorney General whether there could be some changes to the act that could restrict this type of movement.

I want to suggest very clearly to this House that we should never try to cut off our nose to spite our face, because the municipalities have also taken the opportunity to leverage developers into making special deals as a result of going or threatening to go to the municipal board.

Leveraging has been used many times. I am not without the knowledge of that, nor is the Leader of the Opposition. We have heard it, seen it and watched it under various plans across this province. I think it parallels very closely the

ability of a union to threaten its employer with a strike. The same thing applies to municipalities in dealing with a developer or individuals dealing with a developer.

As to the first part of the member's question, I have no further facts. I was not privy to the agreement among the parties, if there happens to be an agreement, and I do not know any of the other facts. If he wishes more information, he will have to get it from another source.

Mr. Peterson: I would just ask how far it goes and when it is going to end.

EMISSION DISCHARGES

Mr. Peterson: Mr. Speaker, I have a question for the Minister of the Environment about the solid waste reduction unit in Hamilton. The minister will be aware that the engineering is now in place to clean up most of the emissions from that factory. With proper co-operation it can be brought pretty much up to scratch. The issue now is the holdup in funding.

Why is the minister not proceeding immediately to address this problem by making provincial funds available to add to those of the region and to federal funds coming in through the forest industry renewable energy program as well as through Tricil's contribution?

Would the minister not agree that time is of the essence so we do not miss a construction year? Why would he not show his generosity by moving immediately to a resolution of that question?

Hon. Mr. Brandt: Mr. Speaker, the controls on that plant have been reviewed by my ministry for some time. It is under controls at the moment, the limitation being of the order of some 500 tonnes per day so that the plant is operating in an environmentally safe manner.

With respect to the question of why we are not proceeding with the retrofit of the plant to improve the existing facility, the total cost of that retrofitting would be about \$12 million.

I do not have the figures right in front of me but, as I recall, the federal government contribution would be something in the order of \$2 million.

Mr. Peterson: It is \$2.4 million.

Hon. Mr. Brandt: The Leader of the Opposition informs me it is \$2.4 million, and I believe that figure to be correct. The region's contribution would also be in that order. At the moment, both other levels of government are looking to the province to pick up the balance of the funding.

I do not know that is necessarily fair or equitable in the circumstances. We are looking at some ways of bringing about some of the modifications to that plant for less than \$12 million. We hope we will be able to do that. If \$12 million is going to be required to bring that plant up to an acceptable level, I say to honourable members very openly and clearly I am going to sit down and negotiate a reasonable deal for Ontario, a fair share for us to carry in the circumstances.

Mr. Peterson: What is that fair share? How much money is the minister prepared to put on the table? Why is he delaying and not getting on with these negotiations? I am told the regional council may vote on December 3 to close down Swaru if some plan is not agreed on for a cleanup of the dioxin and furan emissions by that time.

As the minister knows, the regional council has been losing patience on this issue. The engineering studies are in place, the federal commitments are in place and the Tricil commitments are in place. The minister knows also that the federal commitments may expire by the completion date of March 1987 and that if we do not have these two years or so to build the plants we could lose the federal contribution.

Mr. Speaker: Question, please.

Mr. Peterson: Time is very much of the essence. Why will the minister not put some money on the table to proceed with this worthwhile project? Surely that is his responsibility. Why can he not go in and make a deal with the region right away? Why does he have to hold them up for everything?

Hon. Mr. Brandt: I met with the region earlier in the year and I am prepared to meet with it again. It is interesting to note that the contribution on the part of the federal government—and this was established by the previous administration, I might add—was locked to a figure of \$2.4 million before we had any knowledge whatever of what the gross cost of the retrofit of that facility was going to be.

I am quite prepared to sit down and negotiate, as this province is always willing to do, a fair deal for all parties. All we are asking of the members is to be patient with us until such time as I have had an opportunity to meet with the federal Minister of the Environment. This meeting is going to occur tomorrow.

I will be meeting the federal minister on this issue and many other issues. I hope to be able to report back to the Hamilton-Wentworth regional council about some form of solution. I am concerned about the problem as well, but I want

to make it clear there are no environmental problems with respect to Swaru at the present time.

Mr. Mackenzie: Mr. Speaker, the minister must be aware that that is not the perception of the people in the east end of Hamilton around Swaru. Is the minister aware that almost 50 per cent of the residents in this area believe there is an environmental problem? They can hand him almost on a daily basis bags of particles and dust. We also know there have been dioxins coming out of that stack.

Is the minister aware that the feeling in the neighbourhood is such that if he does not move very quickly, there is going to be a great public demand to shut down the operation? Surely the minister understands that this is the kind of prototype operation he has been encouraging in Ontario. I think it is essential and I would ask the minister to move immediately on funding the improvement of this operation.

Hon. Mr. Brandt: Mr. Speaker, I am as eager to get on with the work as the members are. The difficulty I have is that I have to come up with the amount of money that is going to be required in a way in which I can justify it to the taxpayers of Ontario.

Mr. Reed: Justify it? Prepare to get moving.

Hon. Mr. Brandt: We are prepared to get moving, but we want to know that we are going to move in the right direction to give the best cost-benefit and return to the people of this province.

Interjections.

Mr. Speaker: Order.

Hon. Mr. Brandt: I do not think there is anything wrong with that.

We do encourage incineration operations in this province. We are quite interested in making sure that plant is operating not only in a fashion that is acceptable, but also in a fashion that is acceptable to the people who live adjacent to the plant.

I am concerned about it as well. We spent a lot of money to come to grips with the answers to the problems of Swaru. We are getting close to some solutions now, and I will be able to report to the House shortly on what some of those solutions are.

Mr. Peterson: Is the minister saying he is not satisfied with the engineering and that he is not satisfied it is the most cost-effective approach in spite of the MacLaren study, which has been accepted by most of the experts on the matter,

recognizing that this retrofit will cost about \$12 million? Is he prepared to proceed immediately?

He should also recognize that, if we do not get moving probably by March 1985, we could lose the federal contribution and the whole project could be out the window. What I am trying to impress upon him is that time is of the essence.

Mr. Speaker: Question, please.

Mr. Peterson: Why will the minister not at least split the outstanding difference with the region, which would come to either \$3.8 million or \$4 million for the province? By getting moving right away, we will get into this construction year and we will not get caught in construction inflation. It will also solve a problem that has been festering for a decade now. Surely that is a reasonable approach. Why does the minister not do it?

2:30 p.m.

Hon. Mr. Brandt: I am quite prepared to get on with the solution to the problem and to pick up some of the additional costs, but in order to move this particular project along as expeditiously as possible, the province is not prepared to pick up all the additional cost. That is why I suggested to the member in my earlier answer that I want to sit down and negotiate a settlement with all the parties.

I will mention one thing that is an unknown in this whole factor at the moment. The private sector company, Tricil, which is involved as one of the parties in addition to the three levels of government, may have some opportunity to increase the revenues that would be generated by that operation through increased throughput of garbage from either Hamilton-Wentworth or some other municipality.

That is the possibility. The member knows the location of a lot of garbage on his side of the House. I know that to be a fact. He may want to recommend some locations to Hamilton-Wentworth.

Mr. Rae: Mr. Speaker, let it be shown that the throughput goes in this direction and then back again.

Mr. Speaker: Now for your question.

AFFIRMATIVE ACTION

Mr. Rae: Mr. Speaker, I have a question to the Deputy Premier concerning the report by Judge Abella to the federal government on equality in employment. That report contains an absolutely devastating critique of the approach of this government, which is the voluntary approach, to fairness in employment.

On page 197, she says: "It is difficult to see how a voluntary approach ... will substantially improve employment opportunities for women, native people, disabled persons or visible minorities. Given the seriousness and apparent intractability of employment discrimination it is unrealistic and somewhat ingenuous to rely on there being sufficient public goodwill to fuel a voluntary program."

She documents things so carefully and so concisely that it is a wonderful document. Does the Deputy Premier not think it is time this government came clean, dropped this voluntary program, this flagship he has said he is so proud of, and started to get realistic and bring in some laws to ensure real equality in the work place in Ontario today?

Hon. Mr. Welch: Mr. Speaker, I have not had an opportunity, as has the leader of the third party, to go into the report in detail. I am certainly very much impressed with the tone of the report. Anyone would want to underline the importance such a report has from the standpoint of bringing a fresh approach to this whole question. I am very much impressed with the whole matter of employment equity and the recommendations in that particular section.

I do not think I am prepared to abandon the voluntary approach at this stage for reasons I enumerated in my response to the member's question of two days ago. There are many matters in that employment equity section which we are already doing in Ontario to encourage joint worker-employer committees and the like.

Indeed, I would agree with the author of the report about the necessity of not getting involved in quotas and other matters that she is very clear about. She talks more in terms, as the member will recall, of the collection of data and information related to that. Of course, that does nothing to preclude the establishment of that type of procedure on a voluntary basis.

I repeat here in this place—as I said to the member on Tuesday in response to his question, no doubt in anticipation of the publication of this report at that time—that we have the record of the government of Ontario as an employer in this whole question of employment equity and we would invite others to emulate our stand.

There may be some other steps that could be taken, short of encumbering the whole matter with some type of legislation, which might become the subject matter of attention rather than the end result, namely, to move as quickly as we can to establish a work place where there is no

gender discrimination and where there is equality of access to opportunity and advancement.

Mr. Rae: The minister, in speaking to the press yesterday—I happened to be watching television and I noticed him and I read the newspaper reports of what he was saying—went around saying how great the report was. Now he says the report is wonderful but he disagrees with its fundamental recommendation.

Mr. Speaker: Question, please.

Mr. Rae: Its fundamental recommendation is simply that it is time to move in terms of legislation and information. This is stuff that now has to be made mandatory. He has a secret program, a voluntary program that does not apply to whole sectors in the private sector and to many crown corporations of Ontario as well.

Mr. Speaker: Question, please.

Mr. Rae: When is the minister going to start to get serious about this problem, instead of the rinky-dink programs he has now that are secret, that are totally voluntary, where people can opt in and are not required to do anything, say anything or report anything? When is he going to do something serious rather than just engage in the amateurish activities with which he has been preoccupied up until now?

Hon. Mr. Welch: I am quite satisfied to let the people of Ontario be the judge of how serious we have been in this. It is important that the member recognize that for the last 10 years we have set a very good record, one worthy of emulation, as I have already mentioned. I pay tribute to Judge Abella. I have a very high regard for her and I thank her for the work she has done. She has provided a very interesting study. However, to differ on approach may not be unhealthy in a democracy.

Of course, the member has read every recommendation line by line, and I know he is quite familiar with the report. I like the tone of the report and I am committed to the objectives Her Honour has in the report. We may well differ on the route to accomplish those things, but we have our own record to stand on and to continue to work with.

The report goes on to talk employment equity, education, training, language skills, child care and working conditions. All of these are matters the member will no doubt want to comment on in his supplementary questions. In the meantime, let the rest of the province and public bodies follow the lead of the government of Ontario as an employer, and we will make great progress in this.

Mr. Peterson: Mr. Speaker, the difficulty in this discussion is to sort out the action from the minister's rhetoric, which is always well intentioned and eloquently done, but rarely does the action follow what he is saying. Today he is talking about contract compliance "maybe." He is always talking about things "maybe." He is threatening other people but doing nothing himself.

Mr. Speaker: Question, please.

Mr. Peterson: Out of the number of public agencies and corporations the minister has designated, the 78 hospitals and 16 crown agencies he has targeted for voluntary affirmative action programs, why has none been set up? These are right under his own nose. How can he lecture to others when he does not take advantage of the authority he has as a member of Her Majesty's government by having those programs in the crown agencies and hospitals? Does that not make the minister look a bit like Elmer Gantry?

Hon. Mr. Welch: Mr. Speaker, the Leader of the Opposition makes a valid point when he says a person can hardly go around lecturing others if he does not have his own house in order, which is exactly the point I made about the position of the government of Ontario as an employer.

As the Minister responsible for Women's Issues, I am not satisfied with the record in the hospitals and school boards and I have said so. If the member wants to see an update on that, last night I spoke to nearly 200 teachers of the Niagara South Board of Education and laid out that position. The Minister of Education (Miss Stephenson) and I have been to the school boards, the Minister of Municipal Affairs and Housing (Mr. Bennett) and I have been to the municipalities and the Minister of Health (Mr. Norton) and I am going to the hospital boards.

We are making it quite clear that we think, as a matter of public policy, they should follow our lead. We are providing some leadership in this matter and we are committed to the concept of justice, fairness and equity in the work place. We will see some progress because it is the fair and just thing to do.

Mr. Rae: Mr. Speaker, the minister is not Elmer Gantry; he is obviously George Babbitt.

Mr. Speaker: Question, please.

Mr. Rae: What we are hearing straight from the horse's mouth today is pure Babbitt. What he is saying is that he believes in something but he is not prepared to do the necessary thing to see it is done. He is prepared to continue to mouth

platitudes about justice and equity and so on but, when it comes to taking the necessary steps, he is not there and not ready to do the job.

Mr. Speaker: Question, please.

Mr. Rae: Does the minister not realize that the secretive, private, quiet, voluntary, ineffectual, rinky-dink program he has is exactly what has been totally discredited by Judge Abella's report?

Hon. Mr. Welch: Mr. Speaker, I realize Judge Abella and a number of others feel no significant progress will be made in this area until it is mandated. I understand that. That is a point of view the honourable member has taken. I did not need to have Judge Abella's report to establish that point, because a distinguished parliamentarian such as this member has been telling me that week after week during question period.

There are differences of opinion on approach; we are agreed on the objective. There are other matters that can be done, short of encumbering the whole situation with all sorts of regulations and legislation to accomplish our purpose. That may be where we have an honest difference of opinion in this democratic context.

Mr. Rae: We can sum it up by saying there are lots of things that can be done, short of actually doing anything. The minister is a living demonstration of that every day.

2:40 p.m.

Mr. Speaker: Question, please.

PLANT SHUTDOWN

Mr. Rae: Mr. Speaker, my question is to the Minister of Northern Affairs concerning the shutdown at the Griffith mine. The minister says in his statement that he met with and was briefed by officials at Stelco. Is he aware of the fact that members of the union have yet to be briefed by Stelco? Can he tell us why that would have happened?

Hon. Mr. Bernier: Mr. Speaker, obviously I cannot answer for Stelco. It is correct that I did meet with officials of Stelco last Wednesday; they released the news about the closing on Thursday at 2 p.m., at which time I made a statement in this Legislature.

I would like to advise the leader of the third party that the Minister of Labour (Mr. Ramsay) and I took the initiative to meet with the union leaders last Wednesday at about 8 a.m. in the Minister of Labour's office. We met with Mr. David Patterson, Mr. Henry Gareau and Mr. Jankowski from the Red Lake area to discuss the

whole issue. I can report to the members that there was some common ground. However, I cannot answer as to why Stelco did not meet with the union.

Mr. Rae: Just to give the minister an indication as to why these kinds of closures have such a devastating impact on people and why companies continue to act like 19th-century robber barons rather than like the good corporate citizens they pretend they want to be—

Mr. Speaker: Question, please.

Mr. Rae: Will the minister examine the records of the Ministry of Treasury and Economics and consult with his federal colleagues to discover whether it is true that the mine has developed new sections of the pit three times and thus has qualified for three, three-year tax exemptions for new mines? Can the minister confirm that? Will he endeavour to find that out?

Also, will he present to the House a complete audit, establishing how much public money, both in terms of tax expenditure and in terms of other forms of public contribution, has gone to that company since it was established in 1963? How much money have the taxpayers of Canada and the taxpayers of Ontario shovelled into the Griffith mine and now been told to say goodbye to by the company?

Hon. Mr. Bernier: This was one of the issues we did discuss with the union officials, and I can say to the members that there was some common ground for concern. One was the lack of information given to the municipalities at the Red Lake meeting and at the Ear Falls meeting and the lack of information with respect to the justification of closing down that mine. We have not received that information as yet.

Regarding the request of the Premier (Mr. Davis) for a further review of that decision by the company and possibly a stay of at least two years before it is closed, a reply has not been received from the company at this time.

I can further inform the members that the Premier, along with the chairman of the board, the chief executive officer and four of my cabinet colleagues, will be meeting with the officials next Tuesday to further examine the reasons for that closing.

I am not aware of any amounts of Ontario government grants being pumped into the Stelco operation at the Griffith mine.

Mr. Mancini: Mr. Speaker, this past week, during the announcement and emergency debate concerning the closure of Black and Decker, we

received information that the company received \$1 million from the Ontario Development Corp.

After the minister is able to find out exactly the extent of public contribution to this particular company in opening up and operating the mine, will he promise the House that he will try to obtain that money back from the company and use it for job training for the people who are going to lose their jobs and for family relocation so that workers who obtain jobs in other parts of Canada are helped in their relocation? Will he give us that commitment now?

Hon. Mr. Bernier: Mr. Speaker, our efforts to date have been, and will continue to be for the next short time, to keep the mine open. That is number one. We are not looking at any closure at this time; so the honourable member's question is premature.

Mr. Rae: A few hours after the minister made his announcement in this House about the Griffith mine, one of his very close friends in Ottawa, Mr. Michael Wilson, the Minister of Finance, announced that one of the major new reforms the federal government was going to carry out was to be a change in the way in which unemployment insurance treats separation payments and severance pay. I know the Minister of Labour is going to be concerned about this.

The government of Canada now is saying that severance pay and separation payments are going to be counted as earnings for purposes of unemployment insurance, which means workers will have to exhaust all their vacation pay, all their termination pay and all their severance pay before they are even going to qualify for unemployment insurance.

Mr. Speaker: Question, please.

Mr. Rae: It is taking \$25 million out of the pockets of Ontario's workers, many of them older workers and many of whom are not going to be able to find another job, all in the name of its so-called restraint program.

I wonder whether the minister would like to go up to Ear Falls and sell that kind of program to the workers who are going to be affected by these changes.

Hon. Mr. Bernier: I do not know what the question is.

Mr. Foulds: These guys are getting laid off.

Hon. Mr. Bernier: No, they are not being laid off yet. I am not convinced they are going to be laid off; the members opposite are, but I am not. I am not giving up that easily. The members opposite are nothing but gloom-and-doom artists.

CUNA OF ONTARIO CREDIT UNION

Mr. Elston: Mr. Speaker, I have a question for the Minister of Consumer and Commercial Relations with respect to the operation of CUNA of Ontario Credit Union, about which we spoke briefly yesterday in estimates.

My concern with respect to CUNA of Ontario Credit Union and the particular lawsuit under way there is that the outcome of various negotiations is that the litigant has been unable to obtain the information he needs to contact his fellow members in that credit union to advise them of the situation.

Further, he has been prevented from taking his case to the annual meeting of the credit union, as he should be entitled to do. There is no way the more than 17,000 members of the credit union can receive the information they need to judge for themselves the situation in which the credit union finds itself.

Mr. Speaker: Question, please.

Mr. Elston: Will the minister commit himself at this time to providing not only the names of the members of that credit union but also their addresses so they may be contacted and advised of the financial situation surrounding CUNA?

Hon. Mr. Elgie: Mr. Speaker, I do not want anyone in any sense to interpret me in my response to be favouring one position or the other, since there is a legal action under way, as the honourable member quite properly pointed out.

In the discussion the member and I had in estimates, I related it to the broader issue and not the particular issue of whether members of a credit union who wish to find out the names and addresses of their fellow members should have that right. Under the present statute, as I understand it, they are entitled to obtain the names but no further information.

I indicated that I have some sympathy for this point of view from the general perspective, and in the member's presence I did ask staff to review this to see whether there was any reason this could not be considered as an appropriate amendment. As soon as I have that information, I will be pleased to provide the member with it.

2:50 p.m.

Mr. Elston: As the minister may well know, the initial lawsuit was at the level of \$2 million. Today, I understand, the litigant has upped the ante to a sum of \$35 million, which seems to be a particularly pertinent piece of information that the members should have.

Will the minister provide Mr. Lukovich with the information concerning addresses on the basis of providing a broad interpretation of his legislation? In other words, will he apply the golden rule of interpreting that legislation so Mr. Lukovich can contact those people? As the minister indicated yesterday in estimates, the names of those individual members are of no use without their addresses. Will he apply that broader interpretative rule?

Hon. Mr. Elgie: The member and I had some discussions about this in estimates. He was there when members of staff who deal with the credit union area confirmed that the present legislation would not allow that type of information to be released or to be ordered to be released. From the information given to me, what the member is asking of me is an impossibility, but he knows I did indicate my views about the broader issue and said I would pursue it.

AFFIRMATIVE ACTION

Ms. Bryden: Mr. Speaker, I have a question for the Minister responsible for Women's Issues, if he will return to his seat. I am sure he is expecting more questions on the Abella report today.

I notice the minister has been using ruminations about contract compliance as one of his many ways of rejecting demands for mandatory affirmative action. Are they anything more than ruminations, since he mentioned that away back last May when he had an interview with the *Toronto Star*? He mentioned it again in the past two or three days in further interviews, but he did admit in one of the interviews I heard that he had not even taken it up with cabinet yet.

In view of the fact that Judge Abella says contract compliance is only a partial step to effective affirmative action, since it would not cover all employers and since there might be difficulties in enforcing it with federal and provincial jurisdictions divided in this area, why is the minister considering this less-effective approach as a replacement for his present voluntary approach, which Judge Abella has said is completely useless?

Hon. Mr. Welch: Mr. Speaker, to put things in context, members of the House know the estimates of the Office of the Deputy Premier are before committee of supply. There is hardly any lack of time to discuss this. In fact, we have spent a bit of time already in our estimates review going into this whole question of affirmative action. We now have the benefit of the judge's report.

When I was asked yesterday whether there were alternatives or possible options, stopping short of legislation, I did raise the point once again that in the procurement policy of the government we could introduce a factor, namely, the filing of personnel practices, the declaration that people dealing with the government in the sale of goods and services did embrace principles of equal opportunity with respect to the work place. There are a number of ways in which signals can be given that we take this matter seriously.

The honourable member will also remember that in response to her questions in committee of supply, I raised the point that I did not feel myself to be an apologist for the private sector, yet I was quite satisfied that we did not have the whole picture of what was going on in the private sector. On the basis of my meetings with chief executive officers and presidents, there was far more going on than we had records of and our information was not up to date.

Legislation is always an option, but I think it means a lot more when people, on the basis of their particular situation—even Judge Abella refers to the need for some flexibility in this matter. She places emphasis in her report on the collection of data, which we already provide for as part of our consulting service.

Once again, I do not see this as a rigid partisan issue. No one is disagreeing with the objective. We just do not move in with a club first; we try conciliation and negotiation. Legislation is always an option, but to use that too soon might be to work to the disadvantage of those we are trying to help.

Ms. Bryden: The minister did say earlier today he agreed with Judge Abella's suggestion that affirmative action or employment equity committees should be joint committees with both workers and management represented.

Since the minister has given us the names of only 12 of the 218 private employers who are supposed to have affirmative action programs, will he obtain for us from those 218 a record of how many of them do have joint committees, such as he apparently favours? He might be able to find out at least that much about what is going on in the private sector and bring it to us.

Hon. Mr. Welch: I think that is a reasonable supplementary. As I said on Tuesday in response to a question, we intend to update our information and we want to be that specific with respect to the type of information we will have.

CONTRACT FOR RAILS

Mr. Hennessy: Mr. Speaker, my question is to the Minister of Labour. The minister is aware

that United Auto Workers Local 1075 is on strike at Can-Car Rail Inc. in Thunder Bay. What action has been taken by his ministry to assist the parties in resolving this dispute?

Hon. Mr. Ramsay: Mr. Speaker, the mediator who is appointed to this labour dispute is monitoring it on a regular basis, and his services will be available just as soon as required.

Mr. Hennessy: Can the minister assure me that this matter has been dealt with on a priority basis by senior ministry officials? What is the ministry doing to ensure there will be a speedy resolution of this dispute?

Hon. Mr. Ramsay: Every labour dispute that comes to the attention of our ministry and in which we get involved has a high priority. We do not have a priority list as such. In the case of Can-Car, the assistant deputy minister for industrial relations, Mr. Pathe, has been asked to make contact with the senior officials of the Can-Car union as well as senior officials at Can-Car, and that is being done.

Mr. Nixon: Mr. Speaker, since the Ontario government is heavily involved in the ownership and administration of Can-Car, does the minister not think the company's approach to this strike is a rather strange way to bargain in good faith? First the firm threatens to farm out the work on the present contracts to other factories, including American ones, and then it actually cancels its bid for one of the major railcar purchases in the United States. Does he not think this is strange in the circumstances?

Hon. Mr. Ramsay: Mr. Speaker, I have made it a practice not to discuss in this Legislature or with the media the manner in which the respective sides bargain. There is a lot of rhetoric; a lot of statements are made, sometimes in the heat of anger and sometimes for a particular purpose. It would be highly irresponsible for me to comment on statements made when things are as heated as they are.

Mr. Foulds: Mr. Speaker, does the minister not think a crown corporation of this province has an obligation to bargain in good faith? Does he not think it should not intimidate its workers by deliberately withdrawing from contracts it could achieve with the Port Authority of New York and New Jersey and with their workers at the same time?

Is the minister aware that the concessions asked for by the company include a language clause on subcontracting that would allow every part of the operation now taking place in the Can-Car plant in Thunder Bay to be farmed out?

That would destroy all the jobs the government said it was trying to protect by the takeover of the Can-Car plant.

Hon. Mr. Ramsay: Mr. Speaker, I believe that is exactly the same question that was asked by the previous questioner. My response to him is exactly the same.

There has been an encouraging comment in the media; the international representative for the union is quoted as saying pension benefits and wages are the principal differences but adding, "We are not that far apart." I find that rather encouraging.

3 p.m.

ADHERENCE TO MANUAL OF ADMINISTRATION

Mr. Conway: Mr. Speaker, my question is to the Chairman of Management Board of Cabinet, as the minister responsible for enforcing the Public Service Act.

Now that the minister responsible for enforcing the Public Service Act is in possession of the legal opinion of learned counsel John J. Robinette, and furthermore, now that the minister responsible for enforcing the Public Service Act is in possession of the request for a leave of absence, which has been granted to Mr. Lou Parsons, a schedule 2 crown employee and chairman of the GO Transit authority, can he indicate whether he is aware that two other schedule 2 crown employees, namely Mr. John White, chairman of the Ontario Heritage Foundation, and Dr. Harry Parrott, chairman of the Ontario Science Centre, have just this week signed on the team of the member for St. Andrew-St. Patrick (Mr. Grossman)?

Is the minister responsible for the enforcement of the Public Service Act aware that two more schedule 2 crown employees have signed on to the leadership campaign team of the member for St. Andrew-St. Patrick?

Hon. Mr. McCague: Mr. Speaker, it is obvious from the menu—yes, it is a bit of a menu—that the member for Renfrew North is going to carry on with this balderdash for quite some time.

In my absence last week he raised the issue of Tessie Jew attending some, as he said, Progressive Conservative do. He found out a little later that previous to that she had been at some do with the Honourable David Collenette as president of the Ontario Council of Philippino Canadian Associations, so he decided he would drop all that.

I do not have a thing to tell me that the previously Honourable Harry Parrott or any others have a say in—

Mr. McClellan: How about "semi-Honourable"?

Mr. Speaker: Order.

Hon. Mr. McCague: As I would, he would probably be happy to retain the title of "Honourable" all his life, but as all members know, one loses that title when one resigns or is no longer a member.

Mr. Breaugh: Some lose it before.

Hon. Mr. McCague: I will send the member some bird seed to stop his chirping.

I have no indication anybody has signed on with anybody else. If the member has proof of that, let him show me the signature and I will be glad to take it under consideration.

Mr. Conway: To the minister responsible for enforcing the Public Service Act might I say the proof is right here: "White and Parrott Join the Grossman Team."

Mr. Speaker: Question, please.

Mr. Conway: Because Lou Parsons finally did the honourable thing in taking a leave of absence from his public responsibility to continue on the team of the member for Muskoka (Mr. F. S. Miller), would the minister responsible for the Public Service Act not agree that Harry Parrott and John White should in a similar way do the honourable thing Lou Parsons finally did—ask for and be granted an immediate leave of absence so they might continue to play on the team of the member for St. Andrew-St. Patrick, winners or losers?

Interjections.

Mr. Speaker: Order.

Mr. Conway: If it would help, I would provide the enforcer of the Public Service Act with a copy of the literature of the team of the member for St. Andrew-St. Patrick.

Mr. Speaker: No, the member for Renfrew North will please resume his seat.

Hon. Mr. McCague: I have no idea where that press release came from. It may have come from the Ontario Heritage Foundation, the Ontario Science Centre, the Liberal Party or the New Democratic Party. I will be glad to take a look at it.

I have no indication that these two gentlemen are actively campaigning for the member for St. Andrew-St. Patrick. The member may well have something there saying that somebody else said they were. He does not want an answer; he wants

to create embarrassment, the kind of embarrassment we did not raise when the other parties were having their leadership campaigns.

Mr. Rae: Mr. Speaker, let the record show that no government has done more to politicize and bowdlerize the public service of this province than the Tory party of Ontario and the government of Ontario under the Tory party. It is an absolute disgrace what is allowed to happen.

Mr. Speaker: Question, please.

Mr. Rae: I would like to ask the Chairman of Management Board whether he is going to start applying rules fairly across the board to each and every member of the public service or whether he is going to continue this charade where, if some senior people do it he is prepared to turn a blind eye and pretend he does not know anything about it, but if other people do it he comes down on them like a ton of bricks. When is he going to end this charade and show some fairness to public servants in this province?

Hon. Mr. McCague: Mr. Speaker, if I were the leader of the third party I would be a bit annoyed too at not having had any part in government for 41 years. I admit I would be disturbed too if I were he, but the rules are applied evenly.

ONTARIO LEGAL AID PLAN

Mr. Cooke: Mr. Speaker, I have a question to the Minister of Health concerning section 66 of the Mental Health Act which the minister proclaimed earlier this year and which provides for notice to the area director when a patient has become an involuntary patient. Many groups have written to him, and I have written to him as well, about the fact that this section of the act is not working and that the legal aid people are not paying attention to the notices they receive.

Is he aware of a memo that was sent by a Lawrence Easto, who is the area director of legal aid in Owen Sound? He says:

"The area director of Simcoe county, which includes three psychiatric facilities, adopted what I consider to be the most appropriate procedure following and dealing with these notifications. The policy in Simcoe county with regard to notifications under the Mental Health Act is to immediately file the forms in the garbage without time-stamping, indexing, duplicating, filing, reading or further reporting or further handling."

Is the minister aware that this is how section 66 of the Mental Health Act is being dealt with? What is he going to do to change the situation, so the intent of the act is followed?

Hon. Mr. Norton: Mr. Speaker, I am not aware of that particular memo but I am aware that certain officials in the Ontario legal aid plan have been acting in a manner I think is totally inappropriate in response to the notice that is required under that legislation.

Yesterday, on my behalf, my deputy minister attended a meeting with the treasurer of the Law Society of Upper Canada and a senior official from the Ontario legal aid plan, in the presence, I believe, of the Ombudsman. He made it perfectly clear that procedure was unacceptable in our view and was neither in the spirit nor in the letter of the requirements. He also said filing is not appropriate and some action is necessary on behalf of the persons who are being committed against their will or are otherwise entitled to the notice.

I understand that coming out of that meeting was an indication from the law society officials that they were now willing to work with us to work out an appropriate procedure to act on behalf of these individuals.

3:10 p.m.

Mr. McClellan: Mr. Speaker, I want to say to the minister that I was very pleased when he proclaimed sections 66 and 67 of the Mental Health Act, realizing that, if he had not done so, he would have been liable to challenges under the Canadian Charter of Rights and Freedoms. I am also generally pleased with the answer he gave this morning.

But since this was a memo that was sent out by Mr. Lawrence Easto, the area director of the Ontario legal aid plan in the Owen Sound area, will the minister instruct the learned gentleman and other officials of the Ontario legal aid plan to send out a memorandum as quickly as is feasible, instructing the legal profession and the legal aid plan administrators with respect to their obligations under the Mental Health Act? Will he share that memorandum with us as soon as it is produced?

Hon. Mr. Norton: Mr. Speaker, I obviously do not have the authority to instruct them to issue a particular memorandum. I would hope that as a result of the meeting that occurred yesterday they would take such responsible action themselves. If they should fail to do so and to change their present pattern of behaviour, I will pursue it further with my colleague the Attorney General (Mr. McMurtry). If there is not some very immediate resolution, there will be a major confrontation, I can assure the member, between me and them.

MUNICIPAL ROADS

Mr. Eakins: Mr. Speaker, my question is to the Minister of Transportation and Communications and it relates to the issue of roads. The minister is no doubt aware of the data from his ministry on the road system adequacies for the counties and municipalities in Ontario.

Is he aware that, according to his ministry, 66.5 per cent of the roads in Prescott-Russell are deemed adequate? Yet when I contacted Mr. Jack Lynch, the road superintendent for the counties of Prescott and Russell, he informed us that the percentage of roads they deem deficient is close to 70 per cent. This is a complete reversal of what the ministry's figures show.

Can the minister explain the discrepancy between these statistics?

Hon. Mr. Snow: Mr. Speaker, my ministry maintains an assessment record of the percentage of adequacy of the road systems of all upper-tier municipalities and all the large lower-tier municipalities in the province. These statistics are based on the roads needs studies that are carried out by the municipalities and submitted to the ministry. Each municipality is supposed to assess its roads on the same criteria, which are set up by the ministry in conjunction with the Municipal Engineers Association.

There may be some differences of opinion or there may be some counties, regions or municipalities that upgrade their roads needs studies every year; others tend to update their studies every five years. What my ministry says is the adequacy level of the roads in a municipality and what the local roads superintendent says may very well be two different things, but our assessment would be based on the roads needs studies carried out by the consultants hired by that municipality.

Mr. Eakins: Perhaps the minister is also aware that in Hamilton-Wentworth the percentage of deficient roads is 59 per cent and, of this percentage, 22.2 per cent are deemed critically deficient. I am sure the member for Wentworth (Mr. Dean) finds these figures as appalling as we do.

Will the minister tell the House how regions and counties such as Hamilton-Wentworth, Prescott and Russell, Stormont, Dundas and Glengarry, Muskoka and others can attract development and tourism when their road systems are falling into disrepair, their funding from this government in real dollars continues to decline and yet the ministry refuses to acknowledge the problem even exists?

Hon. Mr. Snow: I do not think I have ever refused to acknowledge that the problem exists. I know the problem exists just as well as the honourable member does and perhaps a heck of a lot—I will keep my language down—better.

It concerns me that when the member was rhyming off those regions and counties that have inadequate roads, he forgot to mention that the municipality with the lowest level of road adequacy happens to be the region of Halton.

REPORTS

STANDING COMMITTEE ON
RESOURCES DEVELOPMENT

Mr. Barlow from the standing committee on resources development reported the following resolution:

That supply in the following amounts and to defray the expenses of the Ministry of Tourism and Recreation be granted to Her Majesty for the fiscal year ending March 31, 1985:

Ministry of Tourism and Recreation, ministry administration program, \$4,618,200; tourism development program, \$23,503,400; parks and attractions program, \$42,512,300; recreation, sports and fitness program, \$14,308,900; and ministry field operations, \$38,152,000.

STANDING COMMITTEE ON
ADMINISTRATION OF JUSTICE

Mr. Kolyn from the standing committee on administration of justice reported the following resolution:

That supply in the following amounts and to defray the expenses of the Ministry of Consumer and Commercial Relations be granted to Her Majesty for the fiscal year ending March 31, 1985:

Ministry of Consumer and Commercial Relations, ministry administration program, \$8,236,700; commercial standards program, \$25,095,200; technical standards program, \$8,217,400; public entertainment standards program, \$23,868,800; property rights program, \$28,459,000; registrar general program, \$4,563,900; liquor licence program, \$6,992,400; and residential tenancy program, \$7,440,500.

STANDING COMMITTEE ON
REGULATIONS AND OTHER STATUTORY
INSTRUMENTS

Mr. Sheppard from the standing committee on regulations and other statutory instruments presented the following report and moved its adoption:

Your committee begs to report the following bill without amendment:

Bill Pr33, An Act respecting the Association of Registered Interior Designers of Ontario.

Your committee begs to report the following bill with certain amendments:

Bill Pr39, An Act respecting the Town of Iroquois Falls.

Motion agreed to.

INTRODUCTION OF BILL

NURSING HOMES AMENDMENT ACT

Mr. Cooke moved, seconded by Mr. Laughren, first reading of Bill 151, An Act to amend the Nursing Homes Act.

Motion agreed to.

3:20 p.m.

Mr. Cooke: Mr. Speaker, the purpose of this bill is to force owners of nursing homes to file a statement of profit and loss in each fiscal year, which would include the details of expenditures on nursing care, food, recreation and other programs, and a budget with all projected expenditures for the next fiscal year, including details of projected expenditures for nursing care, food, recreation and other programs.

MOTION TO SET ASIDE ORDINARY BUSINESS

Mr. Laughren moved, seconded by Mr. Wildman, that pursuant to standing order 34(a), the ordinary business of the House be set aside in order to debate a matter of urgent public importance, namely, the decision by Stelco Inc. to close its iron ore mining operations in the town of Ear Falls in northwestern Ontario; the fact that the decision was made unilaterally by the company without any public consideration of alternatives; the fact that the loss of 283 jobs at the Griffith mine will literally destroy the economic base of the town; the fact that the Ear Falls closure is the sixth iron ore mine closure since 1977; and the lack of any plans or policies in the government to deal with the issue of the economic vulnerability of one-industry towns despite the fact that a cabinet committee has supposedly been dealing with this issue since 1977.

Mr. Speaker: I would like to advise all honourable members that the notice of motion was received in the office of the Speaker within the time limits set forth in the standing orders.

However, I would like to take this opportunity to point out to the member for Nickel Belt (Mr. Laughren) and others of the assembly that the

form of the motion itself, in my opinion, would have been more properly made by deleting the semicolon after "Ontario" and inserting a period.

Nevertheless, in spite of that, I am prepared to listen for up to five minutes to why the honourable member feels the ordinary business of the House should be set aside.

Mr. Laughren: Mr. Speaker, that is not the objection I was expecting from you.

I feel very strongly that the ordinary business of this assembly should be set aside this afternoon in view of the impact of the closing of the Griffith mine on the communities in that area, particularly Ear Falls, if it is allowed to happen. I was very pleased to hear the Minister of Northern Affairs (Mr. Bernier) say he did not accept that. We will see.

The blow to the Ear Falls community would be devastating if it occurred. Forty per cent of the work force is employed by this mine in Ear Falls and 70 per cent of its tax base comes from that mine. If the 283 workers are laid off, the results will truly be catastrophic in that community.

I was pleased as well to hear the Premier (Mr. Davis) has sent a letter to the company suggesting that there be a two-year notice before any closure occurs. It did sound a bit as though he was expecting the closure. Nevertheless, I was glad to hear it.

What bothers me a great deal, and the reason I think there must be an emergency debate this afternoon, is that this is not an isolated issue. It is not as though this was the only occurrence or an unusual occurrence in northern Ontario. Indeed, that area of the province is dotted with towns that have been devastated because of the closure of mines. I believe this is the sixth closure of an iron ore mine in the last seven years.

The iron ore industry itself is in trouble, as well as being the economic base of many one-industry communities in northern Ontario, so we really must have a debate about this ongoing problem. This is not a single issue; this is a serious problem that faces many one-industry communities all across northern Ontario. In other words, I am saying this is a microcosm of the bigger problem in northern Ontario.

Despite the rumoured efforts of the Minister of Northern Affairs not to have this debate, I assume we will be allowed to continue with it and that the government members will not object to having this debate this afternoon. I remind them that we had a good debate on Tuesday afternoon about the closure of the Black and Decker company in Barrie. While that was a serious problem—we moved the emergency debate, so

we obviously think it is serious—if one were to compare the devastating effects on the two communities, there is no comparison. So it is terribly important that we proceed with this debate.

There is a need for us to talk about the province implementing an independent geological assessment of just what ores we have in the province. At the present time, despite the fact this ore belongs to the crown, we have no idea what is out there—none whatsoever.

The Minister of Northern Affairs and the Minister of Natural Resources (Mr. Pope) do not know what is the life of any given ore body. They do not know this, unless they happen to ask a mining executive and that mining executive gives them his or her opinion of what the life of that ore body might be.

We need a decent policy. I believe this is the place to debate the need for such a policy and, more specifically, the place to debate the future of Ear Falls if this closure is allowed to stand. It is time we brought to an end the freedom of seven Ontario and American executives to shut down towns in northern Ontario.

Mr. Reed: Mr. Speaker, any time there is an impending closure of a single company which is the major industry in a northern Ontario community, it has to be considered an emergency by this Legislature.

We have been trying to come to terms with the fundamental issue of one-industry communities in northern Ontario for many years. My party has put forward a multitude of proposals—very specific ones in some cases—on how that problem could be attacked. Basically, our position has been that the resource base that exists in northern Ontario can be approached in a more diversified manner to provide alternative employment and alternative industry in these communities.

The government itself established a cabinet committee in 1977. It would be interesting to know whatever happened to that cabinet committee. It seems to me it quietly folded its tent and tiptoed away around 1980, and nothing has really appeared since that time. Northern Ontario cannot fulfil its economic destiny if it is going to be subjected to a continued boom-and-bust situation in its smaller communities.

In spite of the fact that a debate this afternoon will cut into private members' hour—and we are naturally concerned about that—we feel that in the order of priorities here this is a priority issue. We feel this issue really needs to have a thorough airing in this Legislature.

Hon. Mr. Bernier: Mr. Speaker, perhaps I could respond to the resolution put forward by the member for Nickel Belt. I would first express my appreciation for the member's concern for the workers at the Griffith mine, for their families, for the communities that will be affected and that entire area. I appreciate that concern and I am not downplaying the seriousness of it one iota.

Last Wednesday the Minister of Labour (Mr. Ramsay) and I were visited by Stelco officials to be informed of their decision to close on April 1, 1985. We met shortly after with the Premier to inform him of that decision. He decided a letter would be sent to them and that I would make a statement in the Legislature. I did that last Thursday, outlining the government's position. Stelco made its announcement at the same time and met with municipal officials in the Red Lake-Ear Falls area.

3:30 p.m.

At that time, I informed the members of the Legislature that the Premier had already directed a letter to Mr. John Allan, president and chief executive officer of Stelco. He asked the company if it was possible to reverse its decision, in the hope that the iron ore source from Ontario could be maintained and that it not be replaced with ore from offshore or other areas of Canada. Failing that, if the economics were not there, then a further delay in the actual closing would be implemented for at least two years. A reply to that letter has not been received yet.

Further to that, as I mentioned in question period, the Minister of Labour and I met with the steelworkers union last Wednesday, at a meeting that lasted well over an hour, with Mr. Dave Patterson from the United Steelworkers of America, Mr. Henry Gareau from the Atikokan area and Mr. Jankowski, who lives in the Starratt-Olsen area and is the union steward at the mine itself. We discussed the whole issue and the way it was handled. I can say to the House there was some common ground and common concern that we are working on.

The Stelco officials have been invited to a meeting next week with the Premier, three of my cabinet colleagues—the Minister of Industry and Trade (Mr. F. S. Miller), the Minister of Labour and the Minister of Natural Resources—and me. We have not received a firm response from Stelco at this time, but we hope that meeting will go forward.

As I said, the response to the Premier's letter has not been received as yet. To move at this time with an emergency debate on this issue would be a little premature. There is no question about

that. I suggest it be put over to another date and not be proceeded with at this time.

In closing, I want to express my appreciation for the members' concern. It may well be that a debate of this kind should be held on another date, after these high-level meetings are concluded and we get the factual information from Stelco.

Mr. Speaker: I have listened very carefully and attentively to the positions put forward. My only responsibility is to determine whether the motion is in order. I have read sections 34(a), 34(b) and 34(c) very carefully and I find the motion is in order. The only question before the House is, shall the debate proceed?

5:58 p.m.

The House divided on whether the debate should proceed, which was negatived on the following vote:

Ayes

Allen, Bradley, Breaugh, Bryden, Conway, Cooke, Di Santo, Eakins, Epp, Foulds, Grande, Haggerty, Laughren, Lupusella, Mackenzie, Mancini, Martel, McClellan, McKessock, Miller, G. I., Newman, Nixon, O'Neil, Philip, Rae, Reed, Ruprecht, Ruston, Samis, Stokes, Wildman, Worton.

Nays

Andrewes, Barlow, Bernier, Brandt, Cousens, Dean, Drea, Eaton, Elgie, Eves, Gillies, Gordon, Gregory, Harris, Havrot, Hodgson, Johnson, J. M., Kennedy, Kerr, Kolyn, Lane, MacQuarrie, McCaffrey, McCague, McLean, McNeil, Mitchell, Norton; Piché, Pollock, Ramsay, Robinson, Rotenberg, Runciman, Scrivener, Sheppard, Sterling, Stevenson, K. R., Treleaven, Watson, Welch, Wells, Yakabuski.

Ayes 32; nays 43.

Mr. Piché: On a point of privilege, Mr. Speaker: Will there be some explanation as to why we had to wait two hours for the vote?

Mr. Speaker: Order.

Mr. Piché: I assume that—

Mr. Speaker: Order. The member will resume his seat. Thank you.

BUSINESS OF THE HOUSE

Hon. Mr. Wells: Mr. Speaker, tonight we will deal with Bill 77 in committee of the whole House. The votes are to be stacked to 10:15 p.m.

Tomorrow, November 23, we will begin with third readings of bills in Orders and Notices—except for Bill 89—and Bill 77, if passed tonight, and then do all the private bills in Orders and Notices and then the estimates of the Deputy Premier (Mr. Welch).

On Monday, November 26, we will complete the estimates of the Deputy Premier, followed by second readings of Bills 102, 135 and 132.

On Tuesday, November 27, in the afternoon we will have second reading of Bill 17, the Election Act. If time permits, we will deal with Bill 82. In the evening we will continue with Bill 82, if it is not completed, followed by Bills 147, 109 and 138, with any votes scheduled for 10:15 p.m.

On Wednesday, November 28, the usual three committees have permission to sit in the morning. On Thursday, November 29, in the afternoon, we will deal with private members' ballot items in the names of the member for Dovercourt (Mr. Lupusella) and the member for Carleton East (Mr. MacQuarrie). In the evening we will deal with any legislation still remaining from Tuesday night and other business that may be announced that day.

On Friday, November 30, we will deal with Bill 101 in committee of the whole House, with any votes to be stacked until Monday, December 3.

The House recessed at 6:05 p.m.

ERRATA

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No. 124

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Legislative Assembly of Ontario



Fourth Session, 32nd Parliament

Thursday, November 22, 1984

Evening Sitting

Speaker: Honourable John M. Turner

Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday, November 22, 1984

The House resumed at 8 p.m.

House in committee of the whole.

CHILD AND FAMILY SERVICES ACT (concluded)

Resuming the adjourned consideration of Bill 77, An Act respecting the Protection and Well-being of Children and their Families.

Sections 69 and 70 agreed to.

On section 71:

The Acting Chairman (Mr. Robinson): I have an amendment from the member for Bellwoods (Mr. McClellan).

Hon. Mr. Drea: Mr. Chairman, I think there is an amendment on subsection 71(3), which the member for Brantford (Mr. Gillies) is going to move. It clarifies a clause where there were some lines dropped because of a previous amendment in committee.

The Acting Chairman: Thank you. I was looking at one resolution and had another in hand.

Mr. Gillies moves that subsection 71(3) of the bill be struck out and the following substituted therefor:

"(3) A society that receives a report under section 68 that a child, including a child in the society's care, is or may be suffering or may have suffered abuse shall forthwith verify the reported information or ensure that the information is verified by another society in the manner determined by the director, and if the information is verified, the society that verified it shall forthwith report it to the director in the prescribed form."

Mr. Gillies: Mr. Chairman, I understand the purpose of this particular amendment is to include the words, "is or may be suffering or may have suffered abuse," which were inadvertently omitted from the subsection when it was amended. The effect of the amendment is to clarify that the duty to verify and report to the register applies only when reports of alleged child abuse occur, not to all reports that a child may be in need of protection.

Motion agreed to.

Section 71, as amended, agreed to.

Sections 72 to 83, inclusive, agreed to.

On section 84:

The Acting Chairman: Mr. Gillies moves that clauses 84(f), 84(h) and 84(j) of the bill be amended by adding at the end thereof in each case, "and operated by or for the minister."

Mr. Gillies: Mr. Chairman, the purpose of this amendment is to clarify that the facilities referred to in these clauses—that is, open custody, secure custody and temporary detention—are those under the jurisdiction of the Ministry of Community and Social Services.

Mr. Martel: Mr. Chairman, on a point of order: There is a need for clarification. I thought the member for Brantford was parliamentary assistant to the Minister of Labour (Mr. Ramsay). I am not sure what he is doing carrying these sections.

The Acting Chairman: The House allows certain amendments or sections to stand as part of the bill. Any member is at liberty to move amendments to any section of the bill in committee of the whole House.

Mr. Martel: I have no objection to his moving the amendments, but he is also doing the explaining. I thought that was the duty of a parliamentary assistant.

The Acting Chairman: Order.

Mr. Martel: I know he is trying to help the Minister of Community and Social Services (Mr. Drea), who is tired and all that, but is it usual for the explanation to come from the parliamentary assistant of another minister?

The Acting Chairman: There is nothing out of order.

Hon. Mr. Drea: Mr. Chairman, the member is not acting as anybody's parliamentary assistant. He is bringing forward amendments that have the support of the House. He is helping the member for Sudbury East (Mr. Martel), who is not all that familiar with some of the technical clauses of this bill.

I would also like taken from the record that I am tired. I am not.

Mr. Wrye: Mr. Chairman, I would like a clarification from the mover of the amendment. I suspect this amendment was made necessary by

the fact that control under the Young Offenders Act is not with my friend the Minister of Community of Social Services alone. The 16- and 17-year-olds will be placed under the Minister of Correctional Services (Mr. Leluk). If that is so, I would like to have it clarified by either the minister or the member. Is that the intent of the amendment?

Hon. Mr. Drea: Later on in this session, Bill 149, which is under the Ministry of Correctional Services, will be debated. Bill 149 makes reference to Bill 28, which was passed by this House last spring. There is a three-month hiatus before the proclamation of Bill 77, which dispenses with Bill 28. This amendment clarifies the situation and makes it compatible with Bill 149, which has yet to be passed.

Mr. Wrye: Is that the one the Minister of Correctional Services moved?

Hon. Mr. Drea: Yes, the other side. It makes both of them compatible with Bill 28, until Bill 28 is absorbed into this bill next July.

Mr. Wrye: I want to be clear on this because it is important for those of us who oppose, as the minister knows, the decision to split the jurisdiction in regard to young offenders. Would this amendment still be necessary if Bill 149 were to come under the aegis of his ministry?

Hon. Mr. Drea: As I explained, there is a three-month hiatus between April and July when Bill 28 is rolled into this bill. Regardless of which ministry has jurisdiction over Bill 149, this amendment covers the 90-day period until there is a formal roll-in.

Mr. Wrye: For the record, so it is not misunderstood, our party will support the amendment on that basis. We would not support it if it was necessary because of the split in the jurisdiction, but we will support it on that basis.

Motion agreed to.

Section 84, as amended, agreed to.

8:10 p.m.

The Acting Chairman: The next section for which I have an amendment is section 130. Shall sections 85 to 129, inclusive, stand as part of the bill?

Mr. McClellan: Mr. Chairman, I just wanted to make a brief comment about section 99, which deals with the rights of children in care. Personally I am pleased to see this section in the bill and I again want to stress how important I think it is that legislation incorporate statutory rights for clients or consumers in bills as we have the opportunity to have them opened up and

re-enacted. I want to tell the ministry I am very pleased to see section 99, section 100 and particularly section 101, which sets out a whole series of statutory rights of children to various service entitlements.

I had indicated in the committee that I would like to see this notion extended beyond the notion of rights defined in terms of statutory entitlements to service. I would like to see this notion extended to the child population in general. I have moved that bill in the past. I do not intend to try to craft an amendment that would fit into a child and family services statute it does not really fit, so I intend not to move my children's rights statute as an amendment to this bill. I will reintroduce it as a separate private statute and hope we can continue the debate.

I think we are making progress in this province as we proceed, statute by statute, to extend the notion of human rights beyond the traditional definitions that have to do with the liberty of the individual subject and to broaden the notion to include a statutory entitlement to certain kinds of service. I am particularly pleased to see subsection 101(2), which sets out the statutory service entitlements of children in care clearly and unequivocally, with sections later in the bill that provide for a means of enforcing those rights.

This is an important step the government and the Legislature are taking and I do not think we should pass by it in silence. It should be pointed out and the government should be encouraged to continue to move in this direction, however slowly it appears to be moving. Whenever there is progress in the right direction—and God knows, it is infrequent—I think it should be applauded.

Hon. Mr. Drea: Mr. Chairman, I think the government has moved very rapidly in this particular field, but I must say in fairness that we do welcome the support. These sections were not universally acclaimed when first proposed. I am talking about outside of here; I am talking about the agencies.

Mr. McClellan: You do not have to tell me about that.

Hon. Mr. Drea: I am aware of that. These sections, or the concepts in them, even before the sections were drafted, provoked quite a bit of media coverage that we were giving people too many rights, etc., so I do appreciate the fact that the member has called attention to all of part V. I think some may be more significant or germane to certain situations than others, but the whole of part V, Rights of Children, is a very significant part of the bill.

Mr. Wrye: Mr. Chairman, I also want to make two quick comments before we pass the appropriate sections, first of all to sections 126 and 127.

The Acting Chairman: Sorry. You are in the 120s?

Mr. Wrye: Yes. Do you want to pass to section 127?

The Acting Chairman: I can do it either way, but tell me the section you are going to start with.

Mr. Wrye: Sections 126 and 127.

The Acting Chairman: Shall sections 99 to 125, inclusive, stand as part of the bill?

Mr. McClellan: No.

The Acting Chairman: No? Mr. McClellan, may I know where you are?

Mr. McClellan: I guess we can deal with the concerns I have on sections 127, 128, 129 and 130. I do not know whether my colleague has any questions or amendments. I wanted to try to have a clearer understanding of the due process of the review teams and professional advisory boards which have the responsibility for screening and reviewing what are described as intrusive procedures or extraordinary measures. I will yield to my colleague.

The Acting Chairman: Are you content that we summarily deal with the sections up to 125? I am pleased to recognize you on a specific section if you are not.

Mr. McClellan: Maybe we could carry to the end of section 122, have some discussion on the remaining eight sections as a block and then deal with those.

Sections 85 to 122, inclusive, agreed to.

On section 123:

Mr. Wrye: Mr. Chairman, I have a number of matters in the additional area I wanted to ask the minister about. I want to start with a comment. Those of us on this side in this party have expressed—as the minister knows; and the Acting Chairman as well, since he sat in our committee deliberations for some time—a great deal of concern about four matters: nontherapeutic medical or chemical experimentation; psychosurgery; nontherapeutic sterilization, and electroconvulsive therapy, or ECT as it is known. At one point these were permitted in ministry facilities and are now prohibited in ministry facilities under subsection 127(3).

Those of us who had those concerns want to congratulate the minister for making a decision which we think is a good one. I want to indicate how pleased we are, having indicated our firm

opposition. Also—I know it is rare—I want to congratulate the members of the government, particularly the member for Humber (Mr. Kells), who made representations to the minister. That kind of representation was very worth while.

I would like to get an explanation from the minister—this is my friend's concern—as to what the procedures will be now. These matters are now prohibited in ministry facilities, but it would be useful to be taken through the procedure should a physician wish to perform one of these acts on a child in care. How would he get the child out of care and into a hospital? There is a professional advisory board and there is a review on this matter, I understand.

While I am on my feet, I would also like some comments from the minister, and he may be aware—

8:20 p.m.

Hon. Mr. Drea: May we take the questions one at a time?

The review committee would have to examine the case and agree on what should be done. At that point, the parents would have to take the child out of care and give their consent. On the basis of that consent, the doctor would put the child into the hospital and the appropriate agreed upon procedures would be done.

If it were somebody other than the parent, such as in the case of a wardship, the agency or the society holding the wardship would act in place of the parent. The child would have to be removed from the institution. The prohibition is in the institution, and it is really a removal that facilitates a consent for admission to a hospital for certain prescribed procedures, which have already been agreed upon by the review committee, to take place.

The first part would be a proposal to the review committee that procedures be done. In addition, there will be very specific guidelines. Those guidelines will be forthcoming prior to July 1, 1985, when the bill will be proclaimed.

Mr. McClellan: I do not have any particular problems with subsection 127(1). It sets out certain recommended procedures—psychosurgery, nontherapeutic sterilization or electroconvulsive therapy. I have had the opportunity to discuss with the Ministry of Health the status of each of those three procedures.

Psychosurgery is not permitted, nor is nontherapeutic sterilization, as I understand it, with respect to children. Electroconvulsive therapy has been used in three incidents since 1980, so we are not talking about practices that are widespread in most cases.

I missed something. I came into the proceedings late and I do not quite understand what is meant by intrusive procedures. I cannot get a clear handle on the range of procedures that come under the rubric of intrusive procedure. I may be missing something very simple, but perhaps the minister could help me understand where we can find a complete definitional list of intrusive procedures. Will that be done through regulation, or have I simply missed something in this set of sections?

Hon. Mr. Drea: If the member will turn to page 96, section 108(b), there is a definition of intrusive procedure. It says, "‘Intrusive procedure’ means...."

Mr. McClellan: Oh, right.

Hon. Mr. Drea: There are also regulations.

Mr. McClellan: I am aware of this section. For me, the difficulty is that the definition is in three parts: "(i) a mechanical means of controlling behaviour," referring to various behaviour modification techniques with which we are more or less familiar; "(ii) aversive stimulation technique"—again, that is clear—but then (iii) is "any other procedure that is prescribed as an intrusive procedure."

Hon. Mr. Drea: That is the part we will bring forward under regulations.

Mr. McClellan: Again, we look forward to receiving as quickly as possible whatever drafts the ministry is preparing.

I realize this is difficult, but could the minister walk us through the review process? Could he do this, first, with respect to intrusive procedures; and second, could he explain how the professional advisory board gets into the picture. I am genuinely a bit confused about what the due process is with respect to this set of sections.

It is obviously not as coherent—I do not know if that is the right word—it is not as rigid as the due process that is set out for patients under the Mental Health Act, for example. We have a different kind of process here. I would be grateful if the minister could walk us through it and tell us at what point the client or the representative of the client has an opportunity to make representation against the use of either intrusive procedures or the procedures that are set out under section 127.

Hon. Mr. Drea: First of all, Mr. Chairman, the interdisciplinary committee that is evaluating the case—

Mr. McClellan: Automatically in all instances?

Hon. Mr. Drea: It is a facility-based interdisciplinary committee.

With a child under 16, before the decision is rendered, the child or, obviously, the child's representative has the right to be heard; that is the due process. A child over 16 years of age must give consent, and that is a more formal due process.

The committee meets. It has the criteria necessary to control the particular problem. As I said, the child under 16 has the right to be heard. A child over 16 has the right to be heard too, but in addition, the child over 16 must consent; and parental consent is also involved.

Mr. McClellan: I do not want to belabour the point. I have a feeling that when one gets to the use of certain procedures and, I would think, certain aversive behaviour modification techniques, this is one category of procedures. Another is the administration of psychotropic drugs.

I have a concern that the government is going to find itself running into Charter of Rights challenges with respect to the right of the individual, particularly over 16, to refuse to agree to the intrusive procedures or to extraordinary measures such as psychotropic drugs.

We are all trying to grapple with the implications of the charter at this point. My sense is, and I think it is the sense of the Minister of Health (Mr. Norton) and of the Ministry of Community and Social Services as well in most cases, that as a result of the passage of the Charter of Rights, appeal procedures and review mechanisms have to be pretty scrupulous in their adherence to procedural fairness and rules of natural justice.

Whether or not the review mechanism that has been set out in this section of the bill is adequate to meet the test of the charter is something I question. I think we will find out reasonably soon.

Again, I do not intend to belabour the point. I recognize as well there needs to be a kind of balance: on the one hand, between the requirements of professionals for freedom to practise their discipline without 18,000 lawyers looking over their shoulders and; on the other hand, the need to set out procedural safeguards against the potential abuse of therapeutic authority.

I am really raising the concern in the form of a question. In the case of the professional advisory board, which does not provide for the normal procedural safeguards of an appeal before a tribunal with the right to review evidence and to be represented by counsel in case of an objection, if there was a challenge to the ministry under this

section I am not sure the section would stand the test of the charter.

8:30 p.m.

Hon. Mr. Drea: Mr. Chairman, we are as confident as we relatively can be that it will meet the obligations of the charter. There may be a challenge, and we will abide by the results in court. In preparation for this, the ministry's solicitors, who are actively working on the implementation of the charter and other constitutional matters affecting all the legislation and practices of the ministry, gave this matter paramount importance in the drafting of this particular legislation.

We have had professional advice regarding the consent provisions. I would also draw to the members' attention—it is not all that relevant—that psychotropic drug administration is not considered to be, by definition, an intrusive procedure.

The Acting Chairman: Any further comments on the section dealing with review teams, which would be section 123?

Mr. Wrye: Mr. Chairman, I want to raise this matter with the minister. He is probably aware there has been, over time, a great deal of lobbying; a number of people, particularly the Ontario Medical Association, have spoken to me, and I have had a chance to speak to some of the ministry people and others in the field. I must tell the minister at the outset I am not prepared to move an amendment because I could not find an appropriate word.

I would like his comments. He is well aware of the concerns with respect to clause 126(2)(c), that is the specification of the psychotropic drug to be administered. It is the consent section. It says, "any risks"—and then the key word—"and possible side effects associated with the psychotropic drug, and how they vary with different dosages".

As the minister knows, the particular concern is about the word "possible." We have had a great deal of debate over the use of the words "possible side effects" as opposed to "significant", "probable" and a number of other phrases that might have been used.

It is important for the minister to comment for the record, particularly in view of the representations that have been made by an important group in this province which will be involved in this, as to why he feels comfortable with the word "possible" and why he does not feel it is inappropriate. The concern was that the use of the word "possible" would open up those who are involved in the administering of psychotropic

drugs to listing everything that has ever shown up in a medical journal. The minister's friend immediately to his right can tell him that in some cases that could be very long, even if that side effect had shown up only once.

I ask the minister to offer some comments as to whether any other words were looked at and why the word "possible", which does appear to be very general, has been left in.

Hon. Mr. Drea: First, sometimes the drug is new and there may not be any firm evidence on side effects, but there may be some very deep suspicions. If one is an adult in a hospital—and I give only my own experiences—when one is given a drug, they now stand there for quite a few minutes and list quite a number of possible side effects.

I think it is very valid. If one is going to have new, or even some tried and true, prescriptions administered, then one should know about the side effects, or somebody who is acting for one or who is going to have to give consent should know.

Obviously, if the medical profession could guarantee what the side effects might be, it would do so. They quite often do not know. Times change and the development of drugs changes. There is constant evaluation. Also, there is a court decision as a guideline that all material risks must be provided before a consent can be given. I think there is a interpretation in the courts that the word "possible" is qualified or mitigated by the word "reasonable." It is now not quite the long duration that perhaps is outlined. I do not think it is a—

Interjections.

The Acting Chairman: Order. The member for Cochrane North (Mr. Piché) will please come to order.

Hon. Mr. Drea: He may very well be more interesting to listen to, Mr. Chairman, but I am trying to deal with what I think is a very important topic, namely, that the person who is going to give consent, or the representative who is going to give consent, should have the widest possible knowledge about any risk, however slight, that may be involved. Bear in mind that in the past nobody knew anything about thalidomide; if they had, it never would have been prescribed.

Because of a great many advances there will probably never be something as widespread as that again, but where children are being administered to the widest possible knowledge and examination is very valuable. After all, if 50-year-olds get that kind of treatment in

hospitals, why should a 13- or 14-year-old not be acquainted with some of the things that are involved? I do not think the substitution of any word will necessarily mitigate against the risks or the information that has to be conveyed.

Section 123 agreed to.

Sections 124 to 129, inclusive, agreed to.

The Acting Chairman: I had an amendment from the member for Bellwoods to follow section 129. I understand he is not going to place it.

Mr. McClellan: I do not have it at hand, Mr. Chairman, but it dealt with the application of the common law to this part of the act. I am assured by those who know that the common law applies to the whole act. If I move an amendment restricting it to this part of the act, that would call into question the application to the rest of the act; so I do not intend to move it.

The Acting Chairman: That seems appropriate.

The next amendment I have in hand is one from the member for Windsor-Sandwich (Mr. Wrye) to section 157. Are there any matters between sections 130 and 157?

Sections 130 to 156, inclusive, agreed to.

8:40 p.m.

On section 157:

The Acting Chairman: Mr. Wrye moves that subsection 157(2) of the bill be amended by adding thereto the following clause:

"(ca) The disclosure by a director to a person who is adopted and has attained the age of 18 years of information that relates to the adoption and does not identify an individual by name or make him or her readily identifiable by other means."

Mr. Wrye: Mr. Chairman, we have now reached the point at which we have begun to discuss the first of a series of amendments in the adoption part of this legislation. I want to say at the outset in a general way that if there is a part of this act with which my colleagues and I are most unhappy, this is certainly that part.

I sat through the hearings in February and again in July, as well as through our clause-by-clause deliberations in the latter part of October. Mr. Chairman, I am sure that, having sat on the committee, you know as I do that if there is an area that will strike an emotional chord, this is it.

I intend to place three fundamental amendments and two that are consequential. If there is a single amendment of the five that I deem to be most important, then this is the one, in the sense that I view the failure of this bill to deal with this

matter adequately as its most glaring omission. From my perspective and that of my party, it is the one area I am simply at a loss to understand.

The section of the bill this amendment seeks to supersede is clause 157(2)(d), which seems to give the nonidentifying information to the adult adoptee, but only on the narrowest of grounds and only at the direction and whim of the director. I do not think the directors of children's aid societies will take too much offence if I use that word "whim."

The wording of the clause is as follows: "The disclosure of information of a prescribed class to a person whose access to the information, in a director's opinion, is necessary to protect any person's health." That may be well and fine for adopters of an adult adoptee and for others, but it seems to me and to my party that we are talking here about the rights of adult adoptees. I cannot think of any reason in this world that an adult adoptee should not have the total right to obtain nonidentifying information on demand.

The members will notice the key word is "nonidentifying." That is clearly intended in the amendment. I hope we will not be subjected to suggestions from those who might oppose the amendment that a host of information could lead overall to something of an identifying nature. The amendment is very clear and in my judgement clearly puts an obligation on a director to ensure that any identifying information or any identification that proceeds from it is purely happenstance and that the information per se is of a nonidentifying nature.

At the very beginning of this bill we start by talking about the best interests of children. I do not think the best interests of children end—and I am going to make this argument again a little later with respect to an active register and two-party disclosure, but in particular on this matter—I do not think the best interests of the adopted children end when they are no longer children. I think their access to the kind of social and medical background and other background that may be useful to them, in a nonidentifying way, is indeed in their best interests as adults. I do not believe this information would in any way jeopardize or replace, although I wish to replace, some of the law that is being written in section 158.

However, I remind the House, that section 157 as it is written, without this amendment, represents a major step backward in my judgement and in the judgement of many professionals in the field, who the minister and the House know

are currently continuing to give out nonidentifying information on the advice of their solicitors.

This legislation takes a very major step back as of July 1, 1985. That is not just my opinion; it is the opinion of the directors of many children's aid societies who have called. I see the minister looking at me. I must say to him quite frankly, I have been quite surprised. We are not talking about certain individuals who have concerns; they are well known. I am talking about a number of directors, one from my own community who happened to call this very day to ask, "What is happening with Bill 77?" He expressed a concern about this section.

A number of directors have called from other communities represented by members on all sides of the House. They have expressed deep distress over the fact that the right of adult adoptees to obtain nonidentifying information on demand has been taken from this bill. They believe it is a step backward. If they believe it is a step backward, there is no doubt those people who are adoptees, particularly those—

Mr. Piché: Are the cameramen filming?

The Acting Chairman: Order.

Mr. Piché: How will we know if they are filming? Those lights are—

The Acting Chairman: Order.

Mr. Piché: You can call me to order, but I want to know if they are filming. They are? I want those lights turned off—

The Acting Chairman: Order.

Mr. Wrye: With respect, I hope the member for Cochrane North, whose humour I appreciate on many occasions, will realize that this is an important debate. I hope he will not trivialize it. If my friends in the press gallery wish to film or tape certain parts of it, they should be allowed to.

Mr. Piché: How much is it costing the member? How much has he paid?

Mr. Wrye: I think we can do with the lights—

Mr. McClellan: Have we got to put up with this nonsense? I am not going to put up with it.

Mr. Breagh: Mr. Chairman, on a point of order: I have a solution. Get somebody to roll him out of here so he will not be disturbed by the glare of the bright lights.

Interruption.

Mr. Piché: A bunch of heroes up there.

The Acting Chairman: Order.

Mr. Breagh: Mr. Chairman, on a point of order—

Mr. McClellan: Somebody get him out of here.

Mr. Breagh: Get him out of here.

Mr. Piché: Terrible, terrible.

The Acting Chairman: Order. The member for Cochrane North will please resume his seat. I caution our visitors in the galleries—

Mr. Piché: That is right—a bunch of heroes.

The Acting Chairman: Order.

Mr. Breagh: Mr. Chairman, on a point of order—

The Acting Chairman: Order. The member for Oshawa will wait one moment, please.

I must caution our visitors in the galleries that the standing orders of this House prohibit demonstration by any means or in any form. If there is any further outburst from the public galleries, I will be forced by the standing orders to order the galleries to be cleared.

Mr. Piché: Mr. Chairman, on a point of order: I have to take exception to what was just mentioned here. I have made some comments and I am very disturbed. There are some people up there who made some comments they should not have made. You are wrong in coming out with the comments you have made. They do it all the time—

The Acting Chairman: Order. That is not a point of order.

Mr. Piché: It is a point of order.

8:50 p.m.

Mr. Breagh: Mr. Chairman, I wish to speak briefly to the point of order. I know this is an unusual situation. What I am going to plead is that this is a particularly sensitive issue, and the member for Windsor-Sandwich was attempting to put what I think is a rational argument. There may be times when we do have a lot of give and take here and a lot of jokes are passed back and forth—

Mr. Piché: That is below the belt.

The Acting Chairman: Order.

Mr. Breagh: The point I am making is that this is not one of those occasions when that is appropriate, by any stretch of the imagination.

To the second point of order: I appreciate what the standing orders say about demonstrations in the gallery, and I hope you will forgive those people in the gallery who are very emotionally involved in this debate tonight. I just want to make one final comment to you. The standing orders are silent on what people in the gallery are supposed to do when they are heckled and called

names by members of the Legislature. Your first order of business is to keep order down here.

The Acting Chairman: That is exactly what I am attempting to do. However, I also point out to you that the standing orders make no provision for addressing an admonishment or a warning to the public galleries either; only for their clearance. I thought I was being sensitive, as is always the case in the chair of this House, by alerting visitors in the public galleries, who may not be as familiar with the standing orders as we are, that any further outbursts simply would not be tolerated.

Mr. Wrye: I would like to explain to the members what we propose to do in this amendment. I believe very strongly in the other amendments, but they are probably not quite as basic as this one. In its most basic form, without getting ourselves into the matter of identification and roots in terms of names of people and the exact nature of a person's origins, this amendment would allow an adult adoptee to be given information that is pertinent to him or her. I would be very surprised if this—and I am not a lawyer—

Mr. Nixon: Do not apologize.

Mr. Wrye: My friend the member for Brant-Oxford-Norfolk suggests, as he does on so many occasions, not to apologize for that. However, as a layman, I would be surprised if a section with this kind of retrograde step could survive some kind of a Charter of Rights challenge. I would be truly amazed.

But more important, this amendment restores some fundamental rights to adult adoptees. I urge every member of the House to think about that. I urge the minister, who I know has felt very strongly that he cannot move in these areas, to think about this one area at least. It is important, I believe, that we send a message to adult adoptees. I believe that this and the following section are not different, and the minister knows that.

If we cannot move to make adult adoptees citizens with full and complete rights in terms of nonidentifying information, then we are saying to a group of people who are captured by this bill as being cared for in their best interests, that as they grow older not only do we not care about their best interests but also we no longer care about their interests whatsoever.

I urge the minister to accept the amendment and to indicate to the House what he is prepared to do, if not within the amendments, in regulations and guidelines. I think the amendment is a very reasonable and responsible one,

and I hope the minister will speak to it in a positive way.

Hon. Mr. Drea: Mr. Chairman, because of some noise, I did not hear the member's last few words. Could he say them again?

Mr. Wrye: First of all, I urge the minister to accept the amendment or at least to indicate to members of the Legislature, to the people in the galleries and to hundreds of people in every city and town in the province—I have received hundreds of letters; a number of form letters and some very strong individual letters—what he is prepared to do in this matter.

Obviously, I hope the minister will accept the amendment. If he is not prepared to do that, I will be very interested to hear whether there is anything he is prepared to do under regulations.

Mr. McClellan: Mr. Chairman, I do not want to belabour arguments we have had at some length in the past, but I have to express complete puzzlement on this section. I understand the minister's position with respect to the disclosure of identifying information to adult adoptees. I understand his position but I do not agree with it, and we will be having that debate again when we get to the next section, 158.

I understand what the minister is saying, and I believe I understand some of the reasons he and a number of his colleagues have put forward, as well as the concerns shared on all sides of the House with respect to the disclosure of identifying information. However, I do not understand why we are moving backwards with respect to the disclosure of nonidentifying information; it strikes me as being beyond the rational.

Prior to the Ferguson case, in adoption situations we had the practice of children's aid societies preparing what is called a life book, which is a compilation of nonidentifying background information with respect to the adoptee. Some of the material relates to the medical, health, ethnocultural and genetic backgrounds; and some of it relates to the circumstances leading up to the adoption, why it was necessary the child be placed for adoption, without identifying the birth parent. I stress that the birth parent is not identified, because the minister raised his eyebrows in that quizzical way.

As a result of the Ferguson case, it became very difficult, if not impossible, to provide even nonidentifying information. The purpose of section 157, as I understand it, is to make it clear that the ruling of the judge in the Ferguson case has been overcome by the draftsman's art. However, I do not understand why it is, when we are doing that, we narrow and constrain so

severely the range of nonidentifying information that can be provided.

In clause 157(1)(d), the minister has limited the disclosure of nonidentifying information to information that is "necessary to protect any person's health." All other material that formerly could be in an adoptee's life book, which might be available to him as an adult, will be impossible to disclose, as I understand it.

9 p.m.

So we are moving backwards, and we are moving backwards for no apparent reason. There is no reason under the sun to limit nonidentifying information to one specific category. I invite the minister to put forward the reasons for this severe limitation to the one category, health information. I invite and challenge him to explain to us why other kinds of nonidentifying information are to be forbidden. I do not put it beyond the realm of possibility that I have fundamentally misunderstood this section, but I do not think I have and I would ask the minister to explain why he has taken this giant step backward in section 157.

Mr. Breagh: Mr. Chairman, I would like to participate in this discussion, but it might facilitate matters if the minister would care to give us a brief reply now.

Hon. Mr. Drea: Mr. Chairman, I can do that. I would prefer to do it at the end; it seems to be a little more logical, but if that is what the members want—

The Acting Chairman: On the same point, it might be more expedient if the minister were to respond to all the questions at the same time.

Mr. McClellan: No, this is not second reading debate; this is clause by clause and I think it makes sense at this point in the discussion to have some reply from the minister.

The Acting Chairman: I am in the committee's hands.

Hon. Mr. Drea: I am perfectly willing to do it; it just seems more logical to do it all at once.

Far from being a backward step, this clarifies what has always been the policy. Second, it is a very substantial step forward from the impact of the Ferguson decision. It is very interesting that certain societies maintain they have legal advice that says they can give out nonidentifying information. It is the opinion of the law officers of the crown from the Ferguson decision that no information can be disclosed.

The member for Windsor-Sandwich looks at me quizzically, but I have said this repeatedly in

committee, it has been brought to the attention of the committee repeatedly.

Obviously there is a variance between the thinking of the Liberal Party and that of the New Democratic Party on this matter. The New Democratic Party, through the member for Bellwoods, was quite specific that very little information could be disclosed; in fact, he said it was very difficult to disclose any nonidentifying information at times. Obviously that flies in the face of those who maintain they do have the right to do so.

In the past the policy was—and this was before the Ferguson decision; and, indeed, it was reaffirmed the last time this matter was discussed legislatively, which I believe was 1978 or 1979—

Mr. Breagh: In 1980.

Hon. Mr. Drea: It was discussed at great length in 1980, and the policy has been that adoption information is confidential except where a need to disclose is shown.

Over the years certain practices developed, and then we had the Ferguson case. Just so everyone is fully aware of the Ferguson case, and I am sure everyone is, it was not a government case. It was an application brought to get more information, and the court ruled very specifically that more information was not available. The impact was that it became almost impossible for any information, and I am talking now about nonidentifying information, to be given. So much so that I have even had appeals in one medical case. I am sure everyone is aware of it; and regrettably, it did not work. As the minister, I was asked to declare certain matters to be a health emergency so that therefore we could move to find some information.

This section now provides that medical information that is required can be provided and clarifies this matter. Bear in mind there is an obligation to disclose to the adoptive parent, prior to the adoption order, the very information the member is talking about. It covers far more than just health; it is the very information the member is talking about. I know that is a subjective definition of what is contained in it, but the adopted child surely has the opportunity to obtain that information from the adoptive parents.

If the member is going to say that once the adopted child reaches a certain age he should have absolute rights, there is no difference between that and saying the adopted child has the right to absolute disclosure. It is the same principle.

In summary, it is not sending a signal to adults who were adopted or raised by an adoptive family. Indeed, it is sending a signal to adoptive parents that, if they choose not to share the social background, for whatever reason—and perhaps they have a very good reason for not wanting to do so. We are not talking about medical information; no one is ever going to be without the medical information necessary to their health.

There are situations in small communities, however, where even the slightest bit of information is more identifiable or ceases to be nonidentifiable, even with the best of intentions. That may not happen in larger communities, but I do not know how we can discriminate on the basis of geography.

We are taking the position that adoption information is confidential, except where there is need to disclose and where that need is shown. In this section of the bill, that need to disclose is shown to be a medical reason. That is quite consistent with the tradition of adoption confidentiality in this province. It is not something that was thought up during the course of this bill.

On the basis of the Ferguson decision, we moved in this regard to make it absolutely clear that necessary medical information can be obtained at any time. That is the reason. It is not something that is moving forward or backward. It is a move that is quite consistent with what has always been the practice. If there are erosions of the practice, that is something else.

The Ferguson decision focused on a particular aspect of the law. It is absolutely clear it was never the intent of this Legislature to ban the transmission of necessary medical information. I think the member for Bellwoods, who was a participant in the last legislative debate on this, would agree that was not the intention.

The wording, the draftsmanship, how it wound up resulted from that decision. We are eliminating the impact of that decision. We are clarifying it in such a way that we will not have another Ferguson decision. We are maintaining what has always been adoption confidentiality in Ontario.

9:10 p.m.

Mr. Breagh: Mr. Chairman, I want to participate in discussion of this difficult, awkward, sensitive, full-of-conflict part of the bill. It might be useful to take a couple of minutes to reflect my own experience on it.

When I first came to this kind of disclosure concept, I really was not very familiar with it. It is not something for which most people in society

have a practical use. It is almost a theoretical or philosophical point of view that begins the process. The first time I had very much of a discussion about it was with the member for Scarborough West (Mr. R. F. Johnston) and a group called Parent Finders.

My first instinct was to ask why people would want to know that kind of thing. What good would it do? What use would one make of it? I was not able to sit through the committee hearings, but I did try to follow what was going on there. I went from those initial preconceived questions and got more and more information about why people would want to know those things and how important those things are to them. As one sits and listens to the very emotional and sensitive pleas of these people for what they consider to be a basic human right, it does move one along the trail. It has moved me along the trail to the point that even though a year ago I think I would have been quite content with the amendment now before us, today I probably want a bit more.

The truth of it is we do not quite have a grasp of this issue yet. This is an area on which I believe we ought to pass for a moment. We ought to stand this section down, set it aside, send it back to committee. Perhaps after we proceed with the legislation here, the minister could simply withhold proclamation of this section until we have focused a little more discussion on it. Most of us are aware there is not a very simple, clear, or black-and-white set of issues here. There are conflicts about different people's rights. Who has more rights?

This is a very complicated bill. I might point out to the minister it is pretty tough to put this much legislation together in one bill and have us give due consideration to all sections of it. It seems to me that this matter is going to go to court. There will be challenges; there will be lawyers' fees, agony and waiting. We know that if this legislation goes through as is, that will be the process. We know the conflicts are there and will be heard. We know there is a Charter of Rights and Freedoms. We know more and more people are exercising their right to go to court to try to get those decisions.

When we write legislation such as this, we are supposed to be sensitive to such areas. It is our job as legislators to try to sort them out. It appears to me that in this instance we have not done that. We know what the conflicts are. If we worked at it a bit more, we could get a better consensus on it.

I want to make a plea to the minister. In introducing the amendment, the member for Windsor-Sandwich has set out the case that he is looking for a little growth and change. I did not sense he had his whole heart in it here; that this amendment is going to solve anybody's problems, but he is looking for some movement on the part of the minister, some compromise, some indication he is prepared to review the matter. Frankly, so am I.

I would like to see this section of the act stood down. I would like to see this go back to committee for a while. I know the minister has an important piece of legislation here and there are lots of things in it he wants and wants now. He is by his very nature a little on the impatient side. So are we all.

I want to make a personal pitch to him. I believe this is a matter that needs a little more thought. I believe it needs to go back to committee and have us wrangle it around the block again. In less than a year I have changed my view on the matter substantially, just because I have had more exposure to it during that time. People have challenged me to think about my limits. That is important.

The amendment before us will cause a little movement. Perhaps it will cause the minister some aggravation. I was interested that when he responded just briefly a couple of moments ago, I did not hear much of a response to the amendment that is being proposed. I heard the minister give the reasons the bill is as it is.

Hon. Mr. Drea: That is what I was asked to do. The members asked me to do that. I will respond in a moment.

Mr. Breagh: Yes. There is part of my problem, I think. I do not know why the minister has taken his current position. I know it is a difficult issue; I give him that. With all my heart I give him that. I know it is tough to arrive at a consensus; it is tough to draw those lines. But I also know that somebody is going to redraw those lines, and it will be a court that does it. We know this as we pass this legislation tonight, and I am saying it would be better if the Legislature of Ontario were to take more time to look at this particular part of it.

The minister has a variety of ways he can do that. He can stand down one section and send it back to committee. He can say we will not proclaim this section for a while; we will think about it some more. He can go to select committee; he can put it out to the standing committee on social development again. There are a variety of things he can do.

I am simply asking him to pick one of those options and exercise that right to give this more thought to see if we can search for some common ground that all of us can support; to see if we can find something that will address itself to some people who have trusted me, in the first instance, with their sincerity and, second, with something that is a little more important than we have here; some good common sense that there is a need, a rational reason that people should have this information and that it does some people some considerable amount of good.

I think we have to address ourselves to those issues and I am afraid we have not done that so far. Without pointing blame at anybody, without saying it is the government's fault, our fault or anybody's fault, I am asking the minister to give at least some consideration to this amendment and, even better, to give more consideration to the issue itself in a broader sense; to give us a little more time, to let us try to find the common ground between all of us and to draw up some guidelines that make sense to most of the members of the assembly. We should at least show people out there who are have identified this as an issue that is very important to them personally, in their lives, that we care enough to pause and give it a little more thought.

Mr. Cooke: Mr. Chairman, I want to make a few comments on this issue. It has been six years since we last discussed this matter in the Legislature. I know there has been a lot of discussion, most of which I have not been a part of, in committee.

I have some very strong feelings about this issue. I must say that, out of all the review that has gone on with all the children's legislation, I am absolutely, totally and completely disappointed that the government has refused to move in any way, shape or form on this particular issue.

Just yesterday afternoon I discussed this whole matter with the executive director of the Roman Catholic Children's Aid Society, County of Essex who, along with his board and the board of the public children's aid as well, is in a state of real upset that this section of the legislation, in their view, is a step backwards.

I know the committee has debated this and discussed it, but I want to put a few of my personal thoughts on the record in the committee of the whole House because it will probably be another six or 10 years before we debate this very important issue again, unfortunate as that may be.

My background, as I said six years ago, was one where I used to work at a children's aid society. I used to work with parents who had given up their children for adoption. I think I have some sense of how difficult that decision is, and I had a heck of a lot of respect for the men and women, primarily women, who gave up their newborn children, and in some cases older children, for adoption. It is a very difficult decision.

I respect that, I understand it and I respect the individuals who make that decision, because it is such a difficult decision. In most cases, in the vast majority of cases, it certainly was the right decision.

But I have to say that when a child is brought into this world, the parents of that child have one final responsibility even if the child is given up for adoption, and that is the responsibility to accept the right of the child eventually to come back at some point and meet his natural parents. This is a basic responsibility I believe should be built into the system.

9:20 p.m.

Unfortunately, this amendment would not accomplish that, although it is a step in the right direction and is better than what we have. Unfortunately, the present legislation before us still treats this whole process, in many ways, as if we were still in the 1800s.

I was absolutely shocked when I heard the minister in committee say he felt the adoptive parents had the right to decide not to tell an adopted child that he or she was adopted. I was absolutely flabbergasted to hear the Minister of Community and Social Services say that is a right in our society in 1984 and that a child does not have to be told he or she is adopted. We might as well be back in the 1800s, still talking about ownership of kids. We are saying that once the adoptive parents adopt the child, they somehow have some ownership of that child.

Children are individuals and 18-year-old adoptees are adult individuals. Surely to God, this Legislature in 1984 should take at least a minor step, as minor as the amendment is from the member for Windsor-Sandwich. I would like to see the major step made where we talk about full disclosure.

My God, if we pass an amendment on disclosure, it would be the year 2002 before that amendment would kick in. It would be 18 years from now before a disclosure would even kick in. I suspect by the year 2002 we are going to look back at the debate in this Legislature and realize how backward this Legislature and this govern-

ment was on this particular, very sensitive and very difficult issue, but none the less an issue that is important to thousands of adoptees across this province.

The Acting Chairman: On the same point?

Mr. Wrye: On the amendment. I want to raise—

The Acting Chairman: I am sorry. May I hear first from others, who have not spoken once, before you speak.

Mr. Mackenzie: Very briefly, Mr. Chairman. Having sat through some of the committee's hearings for a brief period, I found my thinking changed during that time as well. I would simply like to add my voice to those asking the minister to take a look at possibly standing down this section of the bill or take another look at it.

I am not sure I would go as far as the member for Windsor-Riverside (Mr. Cooke), but I think the time is coming for some movement that opens up the information procedures a little. I also suspect we are going to regret it if we do not move during this current debate on the changes in this bill. I do think the feeling among the public about the right of a child to have some additional knowledge when he reaches the age of majority is developing.

I would ask the minister to give it some additional consideration. There is a legitimate argument that could be made.

Mr. Wrye: Mr. Chairman, I appreciate the comments from the member for Oshawa (Mr. Breaugh) and the member for Hamilton East (Mr. Mackenzie) with respect to standing down this section and section 158. I say that particularly with respect to the next matters which may be more difficult and, as the member for Oshawa suggested, much more complex and may need further study.

I am prepared to move the amendments. If the minister wishes to stand down this section, the next one, or both, I am quite prepared to agree to that. The time has come, as the member for Hamilton East just said, for some movement.

I do want to raise a couple of matters with the minister. I appreciate the minister's comment that this undoes the problem with the Ferguson decision, but with respect, I do not think that moves us ahead. I think a lot of the children's aid societies very clearly share the view I hold that we are stepping back.

In writing this very complex piece of legislation in 1984, we should take a look at where we are going to be in 1989. The member for Windsor-Riverside suggested we will not look at

this matter again for six or seven years. He is probably right. In opening up that very narrow medical field as opposed to the other areas mentioned by the member for Bellwoods, I do not think we really have moved forward at all. We have got ourselves almost back to square one, as it were.

I noted in the minister's comments, a reference to the small-town matter, which I think is important. I commend to him the words in the amendment, "the disclosure by a director of information that relates to the adoption and does not identify an individual by name or make him or her readily identifiable by other means."

This leaves some discretion to the director in a smaller town. The kind of information that might be disclosed in a Toronto case might not be able to be disclosed in a small town. This leaves a degree of discretion where the director could decide it might be fine to disclose certain information in Toronto but not in Leamington or some other smaller community. There is certainly a problem there. Perhaps, as the member for Oshawa said, we have to take a closer look at it. However, I suggest to the minister the amendment does capture that.

Finally, I want to comment about a matter concerning the adoptive parents—the provision in subclause 157(2)(e)(i). I am well aware adoptive parents will have this information. I know many adoptive parents and almost in totality they are decent individuals at the very least. They are fine individuals who care deeply for their children. However, without using any words that would be inflammatory, the legislation still leaves it up to them to make the decision.

It seems to me this amendment says adult adoptees have the right to find out the information themselves. They could do this without having to ask their parents, without having to get into that potential conflict and without, in extreme cases, being put in a situation where they do not know they are adopted in the first place. I suppose in that case they would not ask for it anyway—that is a distinct possibility. However, I think this matter overcomes the potential conflict between an adult adoptee and an adoptive parent.

I have no personal involvement in the matter, but as an individual who has thought about these cases, I can imagine the potential for conflict would be there. It seems to me the most objective way to overcome it is to say to the adult adoptee: "You have that right because the information really is yours. The information is not that of the adoptive parent."

I hope the minister will appreciate the comment made about the smaller towns. I understand what he is saying, but I think the amendment captures that. Again, I would appreciate any comments he would make to my friend's suggestion that we might move this matter back to committee for further study.

Mr. McClellan: I did not intend to speak twice, but the minister made reference to the debate in 1978 and spoke about what he called a tradition in Ontario. I want to say to the minister as clearly and as flatly as I can that this was absolute bunk. Prior to the 1978 Child Welfare Act, there was no such thing as standard practice in this province with respect to the disclosure of nonidentifying information or the disclosure of identifying information. That is a simple fact of life in this province.

9:30 p.m.

If one went to one children's aid society, as I did in the 1960s as an adoptive parent, one could be given all the identifying information. If one went to another children's aid society, one would be told one could not get any identifying information of any kind. If one went to a third children's aid society, one could be given partial information. There was no such thing as standard practice or procedure in Ontario prior to 1978 with respect to the provision of identifying or nonidentifying information. That was the tradition up to 1978.

When we rewrote the act in 1978, we included subsection 80(1), a five-line subsection, which is the equivalent of this full-page section 157 we are dealing with tonight. All the subsection says is after the adoption "the documents used upon an application for an adoption order shall be sealed up and filed in the office of the court...and shall not be open for inspection except upon an order of the court or the written direction of a director" of the ministry.

Nobody dreamed in 1978 that was somehow limiting the disclosure of nonidentifying information to health matters. Nobody had the slightest inclination of an idea that was dreamt of in that general phrase. Nobody had the slightest inkling that the director was forbidden in any absolute sense from disclosing other kinds of nonidentifying information.

I cannot begin to explain away the Ferguson case, but I can tell members what was in the minds of the people who went through a long debate in 1978. Nobody dreamt that the interpretation of the judge in the Ferguson case had anything to do with what we were doing in 1978.

Since the Ferguson case we have a problem that required an amendment.

The minister has come in here with an amendment that imposes his own narrow philosophical views on the entire province from Cornwall to Kenora and from Toronto to Winisk. That is exactly what the minister is doing, imposing his own views of what is proper and what is appropriate with respect to the disclosure of nonidentifying information. He is standardizing the practice for the entire province and he is ramming it down our throats.

There is no such thing as a tradition in this province of limiting information to health matters. That is complete, arrant, nonsensical bunk that has nothing to do with the way the 1967 Child Welfare Act was interpreted and nothing to do with what we were trying to do in 1978. I think that should be a matter of record.

Hon. Mr. Drea: Mr. Chairman, I think it is very unfair to suggest the minister is imposing his will. This piece of legislation reflects the policy and the position of cabinet and of the government caucus. These very matters have been raised twice for decisions in a committee representing all three parties. To suggest now that the minister should not proceed but should stand these down would obviously be an affront to the committee which had to make a difficult decision.

This was not an easy decision to make, but it is one that has been made by a number of people, including the minister, with sensitivity and thoughtfulness. To stand it down for a year, because that is what the member wants and that is what has been suggested—

Mr. McClellan: For a while.

Hon. Mr. Drea: —to let it go for a while—

Mr. McClellan: Nobody said a year except the minister.

Hon. Mr. Drea: Let us look at the practicalities of it. It is not going to come back in this session if it goes out for study. There are only a couple of weeks left.

Mr. Mackenzie: If it goes through in this way, we will not see change in many years.

Hon. Mr. Drea: Oh, no. Realistically, if we are not going to make a decision now, then we are not going to make it for some time. It leaves it in limbo. There is already great variance in this House about what the exact situation is and there is already great variance among lawyers about what the exact situation is. The time has come for a decision. Therefore I am not going to accept the proposition that this be stood down. We have to make a decision.

There are some aspects I want to discuss that I did not discuss before because I was answering very specific questions. Those are the concerns that were expressed by the member for Windsor-Sandwich, the mover of this amendment, that if we are not going to accept this amendment—and the government is not—then the suggestion was that probably the reason we are not is that there is a variance in what constitutes nonidentifying information. I am not attempting to put words into anybody's mouth; I read between the lines that this may be the suggestion.

The question of what constitutes nonidentifying information reaches to the heart of a sensitive issue. Let us make it plain that we are not talking about disclosure here; we are talking about nonidentifying information, and that is a difficult area indeed. What may be nonidentifying to one in a situation may lead someone on a trail that was never intended and may cause a great deal of personal impact on an innocent party.

I am not talking about the adopted person; I am talking about the person he finds. I do not think this was ever intended, or intended here, under a definition of nonidentifying information.

The position of the government is that we have moved as far as we can at this time to clarify the sections so that the absolutely necessary non-identifying information, which is medical, can be provided. There is a suggestion that perhaps the time has come to begin to work on some guidelines for what might constitute, under an administrative practice, nonidentifying information.

On that basis, I can give the honourable member—since I am, on behalf of the government, going to refuse this amendment—a commitment that I would like to see a legislative committee, with proper advice, in the very near future begin deliberating or working together with some of the legislative counsel or ministry solicitors to try to work out an administrative practice in which there would be definitions and an expansion of nonidentifying information that would take into account two things.

The first is the rights of adoptive parents. I am not going to defend the rights of adoptive parents; I do not think I need to. I do not think adoptive parents regard their children as chattels. I find that repugnant. It may be a philosophical idea, but I do not think it has much credibility.

9:40 p.m.

After all, adoptive parents have come forward at a particular time in their lives, have bared themselves to public scrutiny, unlike the other kind of parent in our society, have told all, have

been scrutinized and have been inspected, and then a decision has been made. They have also agreed to share their family life to the best of their ability with a child. They have given that child a home, and they deserve a little bit more than the back of one's hand and to have it suggested that somehow they are talking about ownership. That is not true at all. It may be a philosophical thing, but I do not think it holds water.

The government is going to reject this amendment. To pause, as has been suggested, would perpetuate what in my view is an intolerable situation where there are great variances. If there are matters that go to court, then so be it. It would not be the first or the last time that legislation passed in this House has gone to the courts. Having had experience with some of that legislation, I suggest the courts want the legislation passed before they peruse it. On that basis, on behalf of the government, I am going to reject this amendment.

The Acting Chairman: All those in favour of Mr. Wrye's amendment will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Vote stacked.

On section 158:

The Acting Chairman: Mr. Wrye moves that section 158 be amended by adding thereto the following subsections:

"(6a) Where the director receives an application made under subsection 4 and determines that the applicant's birth parent or the adopted child whose birth parent is the applicant, as the case may be, is not named in the register but has attained the age of 18 years, the director shall seek to locate that person and advise or have a society advise him or her of (a) the fact that the applicant has applied to be named in the register and (b) his or her own right to apply to be named in the register.

"(6b) Subsection 6a does not apply where the applicant or adopted child whose birth parent is the applicant, as the case may be, was adopted before the day this section comes into force."

Mr. Wrye: Mr. Chairman, this amendment speaks to the current voluntary disclosure register, which is a passive register. It moves to make it an active register but does not in any way—this was suggested in committee; so I want to deal with it—tamper with the current matter of three-party consent for what is known as a reunion. That matter is the subject of a further amendment I will be placing at the appropriate time.

I want to make it very clear that this matter simply speaks to the adoption register, which right now is passive, as members of the House may know. That means an adult adoptee or a birth parent may sign the register at any time, but until both parties have signed the register and no attempt is made to find the other party, matters stay in limbo and the matter cannot be moved forward.

This amendment suggests that if one party signs the register at any point, a director will seek out the other party. As members probably know, this more-active register is present in other provinces. It has worked. It is a very sensitive matter, but it has been dealt with sensitively in other provinces, and I am quite convinced we can do so in Ontario.

Subsection 158(6b) speaks to the matter of retroactivity. Once again because of our sensitivity, we have given the matter a great deal of thought. We have not made this matter retroactive. I will acknowledge that there is a direct correlation between this and what will happen later.

I think an active register is appropriate. As I said, it is working in other provinces. It will begin to facilitate the reunion process that very often all parties would desire if one or another party knew about it.

I think it is an appropriate step forward. That is what we are talking about tonight. I would urge its adoption.

Mr. McClellan: Mr. Chairman, we finally get to the controversial section about the disclosure of identifying information. We have already had the debate in some respects.

In 1978 we went through the same debate on the Child Welfare Act. At that time I initially moved an amendment based on the English system, which provides unlimited access to birth identity information with the only proviso being that it take place within a counselling context. That was defeated. Those were the days of minority government, and it was clear that system was not acceptable to a majority of members in the assembly.

I then moved an amendment to establish an active disclosure registry. I have to point out that in those days it was not acceptable to the members of the Liberal Party. We could have passed an active disclosure registry in 1978, but it was vigorously resisted by the Liberal Party in those days. For that reason, it was defeated by a combination of Liberal and Conservative votes.

I then moved to a third fallback position, the voluntary disclosure registry in the 1978 act. I

moved that as an amendment to the 1978 act, and it has been carried over in the act before us this evening as section 158. It was the best we could get in 1978. I still regret very much that it was the best we could get in 1978. I think we had an opportunity to establish an active disclosure registry in 1978.

Under that registry, if one of the three parties of the adoption triangle was registered on the disclosure registry, the ministry would undertake to seek out the other two parties and, if possible, to attempt to facilitate within a counselling context the disclosure of identifying information, with the possibility of some kind of reunion as the next step.

9:50 p.m.

That was a possibility then, and I think it is a possibility now. I do not think it is in any way a threatening move to try to inch forward a little from what we have now. I do not think it is threatening. First of all, we are not talking about retroactivity. We were not talking about retroactivity in 1978, and we are not talking about it in 1984.

Mr. Kerrio: That is how the thing has changed drastically now, and that is why the thing went through.

Mr. Martel: Oh, get off it, Vince. I know how you talked back then.

The Acting Chairman: Order.

Mr. McClellan: We were not talking retroactivity in 1978, and we are not talking retroactivity now.

Mr. Kerrio: You have changed your mind.

The Acting Chairman : Order.

Mr. Kerrio: Just a minute. They made a comment before, and you did not do anything about it.

The Acting Chairman: I have been trying to maintain order.

Mr. Wildman: The member does not know what he is talking about.

The Acting Chairman: Order, the member for Algoma (Mr. Wildman).

Mr. McClellan: I am describing the position I put in 1978. I moved a position in 1978 that was not retroactive, and today the member for Windsor-Sandwich has moved an amendment that is not retroactive.

We are not infringing on the rights of people who have entered into adoption relationships in the past. We are not infringing on anybody's rights. We are not breaking any contracts. We are

not breaking faith with anybody in this amendment that is in front of us right now.

All we are saying is that there will be a different set of rules for future adoptions. The different set of rules is that there is a possibility of a disclosure for adult adoptees in certain prescribed conditions. The conditions are still very rigid; they still require the consent of all three parties in the adoption triangle.

Under those conditions, I fail to understand how anybody's rights are infringed or how anybody can argue that somehow they are being unfairly treated or that their status, for example, as adoptive parents, is not being recognized. It is ironic. Both the minister and I are adoptive parents, and we have very different interpretations of the status of adoptive parents.

From a personal point of view, I do not have any problems with the English system. I recognize this is an issue that arouses very strong emotions. We try to respect the feelings of people and come up with a solution that is a balanced compromise. In the search for a balanced compromise, I think the amendment my colleague has moved is fair and reasonable. It does not infringe on anybody's rights, it does not violate any contractual relationships or obligations and, since it applies only to future adoptions as the ground rules for the future, it will not give offence or upset anybody.

I cannot imagine how anybody could be upset in the least about the introduction of this amendment as it would apply to future adoptions. I simply cannot comprehend, and I mean this quite sincerely, how there can be any objections to it.

From the tone of the debate on the previous section, it appears the minister has made up his mind and is not prepared to move. I hope we can move forward on this.

To summarize, I believe it has to do with the essential quality of the adoptive process, that it be based on openness and honesty. Nobody should have any feelings of shame, unease or guilt. Nobody should have any sense that there is something slightly unnatural about being adopted or that there is something shameful or embarrassing about the adoptive process, because there is not; it is as completely natural a process of parenthood as being a birth parent, and the parental relationships are exactly the same.

We should not build restrictions into our laws in the name of safeguards that somehow convey the idea that there is something wrong, shameful, upsetting, murky, cloudy or secretive about the process and that when somebody reaches adult-

hood he does not have the right, if he so desires, to try to come to terms with his own identity.

Interjections.

Mr. McClellan: It is pathetic, but I guess that is the climate we are dealing with.

Hon. Mr. Drea: Mr. Chairman, I sympathize with the last remark of the honourable member. It appears we have all had our problems tonight—some more than others.

The fundamental reason for this is that it is all very easy to suggest that there should be no deep-set emotional feelings in the adoptive process. Perhaps that is the ultimate, and perhaps some day it can be achieved, but right now that is not true.

Quite often one of the conditions that the person who is giving up the child wants is anonymity. While this does not automatically infringe upon that anonymity, none the less the prospect of a social worker at the door some time down the road is not exactly playing by the rules.

As members know, with the registry now there is full counselling. The adoptive parent, the birth mother and so forth are consulted; they put their names on. If at a future time the adopted child wants any information, it can be obtained.

The fundamental difficulty is that the birth parent in particular does not want a search of her identity. If she wanted to be searched out, all she had to do under today's rules was to put her name on the register. She has chosen not to; she has been fully aware of what it means.

To do this, quite frankly, may reopen and be very detrimental to one of the three people involved in the whole process. One has to look at the rights and the wellbeing of all three parties in the process, and that is why the government is not going to accept this amendment.

Mr. Kerrio: Mr. Chairman, I would like to make a comment regarding this particular part of the bill because it seems to be the most important part of the bill. It is certainly a very serious matter we are discussing tonight.

I would like to address myself to my colleague's amendment, and I would like to straighten out a little bit of difference of opinion regarding our position in this matter.

While there has been a very simplistic—

Mr. Wildman: And after that?

Mr. Kerrio: I did not interrupt, except when the member started talking about—

The Acting Chairman: Order.

Mr. Kerrio: I am saying that our position is our position, and my friend should describe only his. That is what I am attempting to do. If my

friend's speakers want to talk about the issue in the amendment, that is fine; but when they start making remarks about our position, which they know nothing about, I must tell them they are absolutely wrong.

At this juncture, I would like to say that the amendment that is being put now is an amendment that deals with the future. As I recall, the amendment as it was discussed before was going to reach back, it was going to have retroactivity; it was a situation that I for one could not live with. I can live with this amendment.

10 p.m.

The simplistic description of adoptions that was given by the other party's critic was really oversimplistic, because there are some adoptions that are not all that simple. If someone were to have an adoption brought back into his or her life at a later date, it could have a tremendous impact on many families.

As serious as this situation is, at that time I could not support retroactivity because, up to that juncture, we had made a promise to those people who were adopting. A sacred trust was given.

I do not have enough experience to suggest that in the future I would not support the kind of amendment that I will now. I believe one can enter a new contractual arrangement with adoption and adoptees and adoptive parents, but I think it is grossly unfair for those members to describe our position, which has not changed. This amendment says—

Mr. Martel: Nonsense.

Mr. Kerrio: That is the member's opinion and it is not mine. That is why I am standing in my place now saying that on this important matter we are putting an acceptable amendment.

Mr. Martel: Oh baloney.

Mr. Kerrio: The member for Cornwall (Mr. Samis) is not here to support that party's position because he does not believe it. That is exactly the point.

Mr. Wildman: How do you know what his position is?

Mr. Kerrio: I know his position.

The Acting Chairman: Order.

Mr. Breaugh: Mr. Chairman, on a point of privilege.

Interjections.

The Acting Chairman: Order. Okay, I can wait.

Mr. Breaugh: Mr. Chairman, I recognize there are a few vacant benches over here. We all know we have agreed to stack some votes tonight

and we have people in committee and in other places so I think that was just a little bit uncalled for.

The Acting Chairman: I would also have to caution the member for Niagara Falls (Mr. Kerrio) that he may have impugned the motive of the member for Cornwall when he suggested the member may have been in one position or another on this matter by his lack of attendance.

Mr. Kerrio: Mr. Chairman, you did not make the same suggestion when all of those members were impugning my motives and that is why I am standing in my place on this issue. I will not accept that and I am making my position very clear now.

The Acting Chairman: Please proceed to make your position as nonprovocatively as you can.

Mr. Kerrio: I am making my position very clear and if they do not interrupt, I shall.

The Acting Chairman: I will do my best if you do your best.

Mr. Kerrio: Thank you very much, Mr. Chairman.

My colleague's amendment makes it very plain that in the future I can support that position. I could not in the past because it was retroactive. The position is clear and unequivocal. I think this matter then should be dealt with in that manner from this day forward.

The Acting Chairman: All those in favour of Mr. Wrye's motion will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Vote stacked.

The Acting Chairman: Mr. Wrye moves that clause 158(7)(a) of the bill be amended by inserting after "determines" in the first line, "subject to subsection 10."

Mr. Wrye: Mr. Chairman, I have so many of these. This, I believe, is a consequential amendment which comes after a new subsection 10, which I will be proposing in a few minutes.

Hon. Mr. Drea: Mr. Chairman, quite frankly this amendment—and we are talking about subclause 158(7)(b)(i)—is far more than consequential.

The Acting Chairman: No, it is clause 158(7)(a).

Hon. Mr. Drea: Mr. Chairman, we really should stand this down for a moment because it really does not have any bearing unless we pass the amendment to subsection 158(10).

The Acting Chairman: Have we unanimous consent to stand it down to the appropriate section?

Agreed to.

The Acting Chairman: Mr. Wrye moves that subclause 158(7)(b)(i) of the bill be amended by inserting after "order" in the third line, "if the adoption order was made before the day this section comes into force."

Mr. Wrye: Mr. Chairman, as the minister pointed out, this is hardly a consequential amendment. It provides on a nonretroactive basis for two-party consent alone. It removes from the consent provisions the rights of adopting parents to be party to a consent. Also, as the member for Bellwoods said in the earlier debate on the active registry, it does so without breaking faith with the past.

I know this is an emotional issue. However, I believe very firmly that the matter of three-party consent is inappropriate in 1984. With all due respect to adopting parents, for whom I have a great deal of respect, I believe the right of an adult adoptee to effect a reunion and to receive identifying information should not be infringed upon by an adopting parent.

I believe three-party consent could on occasion cause very unnecessary emotional hardship between the families. Where an adult adoptee may choose to effect a reunion, he or she may be at the point of being able to do so and yet may have that stopped. When he or she approaches the adopting parents and says, "I have a chance to meet my birth parent. Will you agree to that meeting? Will you agree to the release of the identifying information?" the adopting parents could say no.

I accept that for adopting parents it may be a very difficult moment. However, surely if we give adopting parents the final veto, as it were, it is a veto I believe is inappropriate. Our amendment will overcome that problem, will change that situation. However, it will not do so on a retroactive basis.

I know for groups such as Parent Finders Inc, this will be a matter of some disappointment. Clearly they would want it on a retroactive basis. However, we have discussed the matter in our caucus. Our position today is consistent with that in committee put by myself and my colleagues the member for Kitchener-Wilmot (Mr. Sweeney) and the member for Kent-Elgin (Mr. McGuigan).

We do not believe we can break faith with those adopting parents who believe there is a contract, spoken or unspoken, written or un-

written. Therefore we would propose this take place starting after the proclamation of the act. As the member for Windsor-Riverside brought to our attention earlier in the debate, this matter would begin to take effect, in virtually all cases, some 18 years down the road—some time after the year 2000. This would not be so in all cases, because of older adoptees, but in most cases.

Mr. McClellan: I do not intend to repeat an argument I have made a number of times, as I think we are trying to complete the bill this evening. However, I will again say simply I do not believe adult adoptees should be subject to the veto of their adoptive parents. I think this is totally inappropriate. I support the amendment for that reason.

10:10 p.m.

Hon. Mr. Drea: Mr. Chairman, we felt throughout the discussions and debates there is three-party consent: the adopting parents, the birth parent or parents, and the adopted person. We are not going to accept this amendment. I hope we will get to the next one with some despatch because I am prepared to accept part of that.

The Acting Chairman: Mr. Wrye moves that subclause 158 (7)(b)(i) be amended by inserting after "order" in the third line, "if the adoption order was made before the day this section comes into force."

All those in favour of the amendment will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Vote stacked.

The Acting Chairman: The next one I have is an amendment by Mr. Wrye to subsection 158(10).

Mr. Wrye moves that subsection 158(10) be deleted and the following substituted therefor:

"(10) Where the director determines that the applicant's birth parent or the adopted child whose birth parent is the applicant, as the case may be, is deceased, the director may release information under clause 7(c) or (d) although the conditions set out in clauses 7(a) and (b) are not satisfied."

Mr. Wrye: Mr. Chairman, this amendment is, in a sense, consequential to an earlier amendment to section 158. However, it can stand alone, and I have some understanding that the minister is prepared to go for it.

Hon. Mr. Drea: We are prepared to accept this if three words are added in the last line, "and

subclause 7(b)(ii)," which in effect means that where there is a death, regardless of whether the deceased person was on the register or not, he or she is no longer in the picture.

I think the intent of the member's amendment is that where there is a death, there has been an argument that the person blocks anything beyond the grave. The way the clause is written now, I think what the member is trying to amend is the fact that, if the person is on the registry, his death does not block anything. What he wants to do is to make it whether they are on the registry or not. That is what we are prepared to do, and it will be done with the addition of those three words.

We will accept that amendment. In addition, if the member is satisfied with that, if he would kindly come back to the clause that was stood down, clause 158(7)(a), the consequential one will require that as well.

Mr. Wrye: I am just seeking clarification from the minister. What words does he want to add?

Hon. Mr. Drea: I want to add in the second last line, "and subclause 7(b)(ii)."

Mr. Wrye: "...although the conditions set out in clauses 7(a) and subclause 7(b)(ii)?"

Hon. Mr. Drea: Right. "...are not satisfied."

Mr. Wrye: It is acceptable.

Hon. Mr. Drea: Then we will accept the amendment.

Mr. Wrye: I will accept the suggestion, Mr. Chairman.

The Acting Chairman: Mr. Wrye has reworded his amendment. Is the House familiar with the change to the amendment?

Motion agreed to.

Hon. Mr. Drea: Mr. Chairman, perhaps the member will once again move the stood-down amendment because it is required.

The Acting Chairman: Mr. Wrye moves that clause 158(7)(a) of the bill be amended by inserting after "determines" in the first line "subject to subsection (10)."

Motion agreed to.

Hon. Mr. Drea: Mr. Chairman, if we could have your indulgence for another couple of minutes, there are three technical amendments required in connection with Bill 149, which we commenced with this evening. They are related to that bill when it comes before the House and its impact on Bill 28 for the three months preceding the proclamation of this bill.

On section 159:

The Acting Chairman: Mr. Gillies moves that section 159 of the bill be amended by striking out "and" at the end of clause (d), by adding "and" at the end of clause (e) and by adding thereto the following clause:

"(f) A subsidy paid by an approved agency or by the minister to an adopting parent or to a person with whom a child is placed for adoption."

Motion agreed to.

Section 159, as amended, agreed to.

Sections 160 to 195, inclusive, agreed to.

On section 196:

The Acting Chairman: Mr. Gillies moves that clause 196(e) of the bill be amended by striking out "voluntary" in the first line and inserting in lieu thereof "temporary."

Motion agreed to.

Section 196, as amended, agreed to.

Sections 197 to 219, inclusive, agreed to.

On section 220:

The Acting Chairman: Mr. Gillies moves that clause 6a(b) of the Ministry of Community and Social Services Act, as set out in section 220 of the bill, be struck out and the following substituted therefor:

"(b) any other person who is a crown ward under part III, child protection, of the Child and Family Services Act, 1984, or the Training Schools Act or held in a place or facility designated as a place of secure custody or as a place of open custody under section 24 of the Young Offenders Act (Canada) or as a place of

temporary detention under subsection 7(1) of that act."

Motion agreed to.

Section 220, as amended, agreed to.

Hon. Mr. Drea: I am sorry if I inadvertently misled the House. The amendment to section 159, the matter of the subsidy paid to the approved agency, does not pertain to Bill 149. We wanted to prohibit the practice of buying a baby, but the draftsmanship was too tight and it would have precluded any type of payment, the normal payment, in connection with an adoption. I want to make it clear that amendment does not have any reference to Bill 149.

Sections 221 to 230, inclusive, agreed to.

10:20 p.m.

The committee divided on Mr. Wrye's amendment to subsection 157(2), which was negatived on the following vote:

Ayes 30; nays 45.

Section 157 agreed to.

The committee divided on Mr. Wrye's amendment to section 158, which was negatived on the same vote.

The committee divided on Mr. Wrye's amendment to subclause 158(7)(b)(i), which was negatived on the same vote.

Section 158, as amended, agreed to.

Bill, as amended, ordered to be reported.

On motion by Hon. Mr. Wells, the committee of the whole House reported one bill with certain amendments.

The House adjourned at 10:34 p.m.

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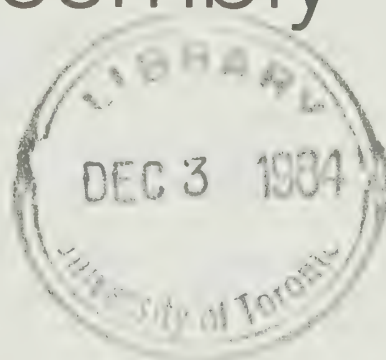
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Hansard

Official Report of Debates

Legislative Assembly of Ontario



Fourth Session, 32nd Parliament

Friday, November 23, 1984

Speaker: Honourable John M. Turner

Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

Friday, November 23, 1984

The House met at 10 a.m.

Prayers.

DEATH OF TED LITTLEFORD

Hon. Mr. Drea: Mr. Speaker, I would like to draw the attention of the House to the passing of a distinguished constituent of Scarborough and an extremely distinguished Ontario public servant for more than 50 years. Mr. Ted Littleford, who was the chairman of the Soldiers' Aid Commission, died last night after something that was very typical of him, a very valiant fight for many months against a terminal illness.

I am sure some of the more veteran members of the House will recall the work of Mr. Littleford in the Soldiers' Aid Commission, which is probably one of the most successful of provincial bodies over the years, since it was set up specifically to deal with the offspring of those who served in the First World War. I think it is a tribute to governments of this province that of all jurisdictions, though the numbers of veterans of the First World War are declining because of age, we have still kept our commitment to ensure that their dependants are protected against the vicissitudes of life.

Mr. Littleford was a veteran of the First World War in which he was gassed at the Somme. In the Second World War he held the rank of captain and served overseas again as a recreational officer with the Royal Canadian Legion. For 34 years he was a very valued member of the Ministry of Community and Social Services. His work after retirement led him to become an alderman for six years in ward 4 in Scarborough where he served with distinction.

On this occasion I am sure the sympathy of the Legislature will go out to the family. We have lost a most distinguished public servant.

ORAL QUESTIONS

Mr. Peterson: Mr. Speaker, I move the adjournment of the House, and there is a precedent for moving the adjournment of the House. You have accepted that motion before. I am not going to sit here and try to conduct the business of this province with four cabinet ministers present.

It is ridiculous. If you cannot do it, we are leaving. We are not going to put up with this any

more. When they have ministers here to answer questions, then we will be here to discuss the business of this province.

Mr. Foulds: Mr. Speaker, in the absence of almost the entire cabinet and of people of any substance, I will direct a question to the minister responsible for everything these days, the Deputy Premier (Mr. Welch).

CHLORINE LEAK

Mr. Foulds: Oh, I see the Minister of the Environment advancing to his place. If he is anything, he is a man of substance. I would actually like to direct my first question to him.

Is the Ministry of the Environment conducting an investigation that will be made public into the chlorine leak at the Boise Cascade mill in Fort Frances on Thursday, November 15, which required the evacuation of the hospital and of one third to one half the town, including two schools? What steps are being taken to ensure that this potential disaster, which was averted simply because at the last moment the wind took the cloud of chlorine out and above the hospital and the town, is avoided in the future?

Hon. Mr. Brandt: Mr. Speaker, I am pleased to tell the honourable member, who waited patiently for my arrival, that the disaster was controlled very quickly by turning off a valve. A single valve corrected the situation.

To assure the honourable member that this type of upset will not occur again, my staff are more than pleased, and are moving now, to assist the town of Fort Frances with a co-ordinated emergency response program so that if there are other occasions of the same type that cannot be avoided, we will assist the town to prepare itself in a way similar to that of my own community, which has had an emergency response group in place for a great number of years now. I would urge the town of Fort Frances to do the same thing, and we will assist it. I give the member that assurance.

10:10 a.m.

Mr. Foulds: Is the minister not aware that the situation was not controlled by the simple turning off of a valve? Turning off the valve prevented any further expulsion of dangerous chlorine gas, but there was the expulsion of chlorine gas and it

did temporarily threaten a certain part of the town.

Will the minister ensure that money is made available to the community through his ministry and that of the Solicitor General (Mr. G. W. Taylor) to make sure the kind of equipment needed is available, so that all the responsible authorities—the fire department, the police department and so on—can be on one frequency instead of different frequencies? Will he assure us that his ministry will permanently monitor that plant, which uses between 60 and 70 tons of chlorine at a time and is right in the middle of the town, and monitor it so that it will be virtually foolproof?

Hon. Mr. Brandt: I cannot speak on behalf of my colleague the Solicitor General, but I want to reiterate the assurance I gave that my staff are prepared to move into Fort Frances, and have already, to assist the town officials with the response I spoke of earlier. I am not, at this point, prepared to commit large sums of money to any co-ordinated plan because a great amount of the money that perhaps would be expended is a municipal responsibility.

I can assure the member that we are as concerned as he is. When I indicated the problem was controlled as a direct result of turning off the valve, what I meant to imply was that, had someone reacted more quickly, perhaps the problem that developed with respect to the chlorine gas cloud could have been minimized or kept to an absolutely harmless level.

We will move into that community. We are as concerned as the member is and we intend to take the necessary steps in co-operation with local officials and with industry to make sure this type of thing does not happen again. I cannot give the member a guarantee that it will not, because we live in the real world where occasionally these upsets occur, but we can minimize them. We intend to do that to the extent that is humanly possible.

Mr. Speaker: Supplementary or a new question?

Mr. Foulds: No, no, a supplementary, Mr. Speaker. Do not rush me. This is a nice early morning, and things are unfolding as they should on a Saturday morning.

Mr. Speaker: Friday.

Mr. Foulds: On a Friday morning. I look with anticipation to the weekends. Was the minister not aware or did his officials not make him aware that there was one ton of chlorine still left in that part of the system after the valves were shut off?

It was in that part of the system and was still to be expelled. Could he take the step in his investigation to find out why, apparently, there was nobody in the mill designated to notify the proper authorities, the fire chief in this case, of any such emergency situation?

In fact, the fire chief found out almost by accident because he happened to be looking out of his window and saw the cloud of chlorine gas. One of the employees who had been evacuated from the mill, on his own initiative and without any instructions from superior officers, ran across the street to tell the fire chief. Surely to goodness there has to be a more regularized form of responsibility when such incidents occur, so that the proper authorities are notified and they can take the action that is necessary.

I want to say I agree that the fire chief in this situation did everything that was humanly possible.

Hon. Mr. Brandt: We are investigating the situation. At this point I cannot respond to the question the member raises with respect to how the staff went into action to turn off the valve, which stopped the chlorine gas leak. I can give the member the assurance that our investigation will include recommendations. Incorporated with and outlined in those particular regulations will be a series of steps that will include ways and means by which we can suggest to the company a control system that we hope will avoid that situation in the future.

Chlorine gas is an extremely deadly gaseous fluid, as the member knows. In a controlled form it is one of the chemicals we do require, as the member is no doubt aware, but it must be dealt with in a very safe and careful fashion. We intend to see that is done.

HOSPITAL BEDS

Mr. Foulds: Mr. Speaker, in the absence of the Minister of Health (Mr. Norton) and of the Premier (Mr. Davis), I have a question for the Deputy Premier.

Can the Deputy Premier explain why, a full two and a half years after the announcement of the EldCap program, which was to put into place chronic care beds associated with small community hospitals in northern Ontario, not a single bed has yet been established although there have been five approvals?

Are the minister and his ministry not aware of the crying need for both home care in small communities and chronic care beds associated with hospitals in small communities, so that communities such as those that have received

approvals and communities such as Chapleau and Nipigon can get those chronic care and extended care beds as quickly as possible?

Hon. Mr. Welch: Mr. Speaker, in view of the fact that I was not considered really a minister of substance at the opening here, maybe I could refer that question to a minister of substance, the Minister of Northern Affairs (Mr. Bernier), who would be delighted to share that information since it happens to be his program.

I know the honourable member would like to have some answers. May I introduce the Minister of Northern Affairs to him.

Hon. Mr. Bernier: Thank you very much, Deputy Premier.

Mr. Speaker, if I might answer the honourable member's question, I would point out to him that this program was designed in northern Ontario, as he well knows, for northern Ontario needs. It is special and unique to northern Ontario. We have approved five sites at the present time.

The member for Lake Nipigon (Mr. Stokes) is one of the great proponents and one of the strongest supporters of this program, which will see 20 extended care beds attached to an existing hospital. The program is unique not only in Ontario but in Canada. We are breaking new ground.

The planning process is in place, the funds are available and we have advanced literally hundreds of thousands of dollars for the planning process that is going on in those five hospital boards now. It is well down the road, and I hope to turn the sod for at least four of them this spring. If the honourable members are around, I would ask them to join me because it is a very exciting program, one that is on track and moving ahead.

The planning process is a unique one. We are breaking new ground. In some instances, we are practically building a new hospital. We have to add extra nursing facilities and enlarge the kitchen, the laundry and the electrical system. All these things have to be brought into the planning process.

The excitement in northern Ontario is very real. When we have these five going, we will get on with it and we will have about another 10 or 12 to do. Then I am sure the member will join us in a very exciting program.

Mr. Foulds: The minister is aware that not only is the excitement great but so is the anticipation because he has not been able to deliver on the promise of 1982.

Mr. Speaker: Question, please.

Mr. Foulds: Is he aware that in the Nipigon hospital, as my colleague the member for Lake

Nipigon knows so well, at least 13 of the 23 active treatment beds have been used by patients who need long-term care? Is he also aware that in Chapleau 60 per cent of the active treatment beds are occupied by long-term patients who have no other place to go?

Therefore, can I not urge the minister, and would he not make a commitment, not merely to turn the sod this spring but to get those beds in place, not merely in the five communities to which he has made commitments but in every small northern community that requires such beds?

Hon. Mr. Bernier: I am sure the member is aware that when we announced the program, we announced it would be a five-year program. We allocated \$25 million to \$30 million over a five-year period to put this program in place.

As I said earlier, the planning process is moving ahead as rapidly as possible, but the program is unique and requires a lot of input not only from the hospital but also the municipality and the Ministry of Health.

With regard to Chapleau, I met that group just about two weeks ago and accepted its formal application. I told them I would be back early in the new year with a firm and positive decision.

Mr. Foulds: My colleague the member for Algoma (Mr. Wildman) reminds me that the minister finally accepted the application from Chapleau, although it made the application a considerable time ago, after bureaucratic delays in his ministry and in the Ministry of Health had prevented the application from being accepted.

10:20 a.m.

Mr. Speaker: Question, please.

Mr. Foulds: Can the minister tell me why the hospital in Atikokan has received approval three times but has not yet been able to proceed with the beds? Can the minister explain why a government with a majority such as it has cannot implement such a program in a four-year period? After two and a half years of planning, can he tell me why he still does not have a bed in place? He is waiting until the election is called to capitalize on it for political purposes.

Hon. Mr. Bernier: I point out to the member for Algoma that if he would write to me and come to talk to me about his problems, I would be glad to do so. Instead, he chooses to write letters to the Sault Ste. Marie Star. He gets a lot of publicity up there, but he never writes me or comes in to see me.

Mr. Wildman: I have raised it in the House.

Mr. Speaker: Order.

Hon. Mr. Bernier: He is not like the member for Lake Nipigon (Mr. Stokes). The process is in place. It is an exciting program and one that is suited for northern Ontario. The honourable member knows it, and I know it. When it is in place, he will be the first one to cheer about it.

Mr. Wildman: Mr. Speaker, on a point of privilege: I would point out to the minister that I have raised it a number of times with him. Anyway, I have a question.

Mr. Speaker: I am certainly glad to hear that. The member for Algoma with a new question.

EXPOSURE TO TOXIC CHEMICALS

Mr. Wildman: Mr. Speaker, I have a question for the Minister of Labour on a very serious problem. It relates to baby Timothy Post, who is severely handicapped. It has been suggested that his problems are related to his mother's exposure to toxic chemicals during her pregnancy when she was working at English Plastics in Brampton.

Can the minister explain why his ministry failed to do any air monitoring at this plant, which uses extremely toxic substances such as polyvinyl chlorides, styrene and acrylonitrile-butadiene-styrene, which are all possible causes of birth defects? Other toxic solvents, such as methylene chloride, trichloroethylene and benzene, are in use daily. These last solvents have led workers to complain of nausea and headaches.

Why did the ministry never do any air monitoring in a plastic plant using these kinds of substances?

Hon. Mr. Ramsay: Mr. Speaker, I agree with the honourable member that it is a very serious situation. I certainly feel for the mother and the family. It has not been definitely established that there is a relationship; however, when there is doubt, there obviously has to be follow-up and study. This is what is being done.

In direct response to the member, there have been visits to that plant, but on those visits there was not felt to be a problem as far as the air was concerned. The ventilation and so on appeared to be normal, and—I think this is important—there were no complaints from the workers or from the health and safety committee.

I would like to follow through a bit, and this might take a little longer than usual, but I hope it will throw some light on this situation.

On April 4, 1984, a telephone call was received by our industrial safety branch from—

Mr. McClellan: This is becoming a statement. The minister should not go on too long.

Hon. Mr. Ramsay: If you wish, I will sit down.

Mr. Martel: I thought we might take time out.

Mr. Speaker: It was suggested that in the interest of time, it might more properly be considered a statement. However, if the members want to—

Mr. Wildman: We could revert to statements.

Mr. Speaker: No.

Hon. Mr. Ramsay: I am trying to answer the question in a complete way. As I said at the outset, it is a serious matter and one about which I do not want to be frivolous in any way.

Let us go back to April 4, 1984. A telephone call was received by our industrial safety branch from a gentleman who identified himself as the grandfather of the child. He did not make a complaint, but he inquired as to whether there had been any charges or orders laid against the firm. That information was provided, and the branch felt that a further visit, other than the normal visits that had gone on in the past, should be made. That was done, and at the time there were no complaints from the workers and no problem as far as ventilation was concerned. As a result, no air sampling was done.

Mr. Wildman: We are aware of complaints among workers in this unorganized plant prior to April 1984. Even if the minister maintains the position that air monitoring would be done only if there were complaints from unorganized workers, who may feel vulnerable, after the baby's grandfather raised the concerns and the ministry became aware of baby Timothy Post's multiple handicaps—mental retardation, impaired eyesight and muscle control, serious problems with digestion, seizures and so on—why did it not do any air monitoring when it went into the plant?

How could the ministry come to the conclusion, as stated in its report, that "No significant amount of fume was noted on the day of the visit"? How could the ministry say that if it had not done any air sampling? Is it not the case that the ministry simply accepted management's position that "natural ventilation and the heat at which moulding machines operate ensure that there are no dangerous fumes"? Why did the ministry representatives themselves not confirm management's position?

Hon. Mr. Ramsay: I asked that question myself and I obtained the information, including the report of that particular visit. Incidentally, the

report described the process in detail; it listed the materials used and indicated the plant was naturally ventilated and the forming ovens and spray booths were locally exhausted. No significant amount of fume was noted on the day of the visit by the physician from the health branch. There were about 30 employees in the plant who worked in two shifts, and no health complaints had been received.

I want to make a couple of points of a general nature. I realize the member is trying to say there was a fear of reprisals in an unorganized plant. There are two points to be made. First of all, complaints can be made in an anonymous way—

Mr. McClellan: The minister does not have the right to go on and on.

Hon. Mr. Ramsay: I am just trying to be helpful. I will be happy to sit down.

Mr. Speaker: Carry on.

Hon. Mr. Ramsay: Complaints can be made in an anonymous manner, and they are always followed up. Further, we have just finished printing a booklet in seven different languages, which will be widely distributed in work places. It addresses the very matter of reprisals, and we think it will help the problem the member justly points out. There is a problem and a feeling about reprisals and we want to address that.

PROVINCE OF ONTARIO SAVINGS OFFICE

Mr. Philip: Mr. Speaker, I have a question of the Minister of Revenue. The minister will be aware of statements made by the Treasurer (Mr. Grossman) and Treasury officials indicating the government of Ontario is considering selling off the Province of Ontario Savings Office. I want to ask the minister responsible for the savings office whether that is the policy and the intention of the ministry.

Hon. Mr. Gregory: Mr. Speaker, I thank the honourable member for the question. I have to say I respect all the members of the New Democratic Party for being here today to ask questions of all the ministers here to answer them. It is unfortunate the official opposition members are not here to function as they should as critics of this government.

The answer to my friend's question is no.

10:30 a.m.

Mr. Philip: Will the minister confirm that it is his policy that the savings offices do not advertise and do not provide the same services as other banks and trust companies? Will he confirm that he has deliberately allowed the services to deteriorate to the point where the deposits have

dropped off substantially in the last year? In one fiscal year alone, the surplus is down to \$2.5 million from \$4.1 million.

Is it not the minister's policy that he is deliberately destroying these offices so he can eventually justify what the Treasurer has stated is his intention, namely, the selling-off of these offices which are making a profit for the taxpayers?

Hon. Mr. Gregory: The honourable member seems to be attributing a statement to the Treasurer that I am not aware of. It is not the policy of my ministry to take the actions the member is suggesting. While it is true the deposits in POSO, as we call it, have not been as heavy, I attribute this to the additional services that have been offered recently by the various trust companies.

Historically, the Province of Ontario Savings Office has been the one function of government where citizens can deposit money at an interest rate higher than is normally offered. There have been certain additional services offered by trust companies lately that have, it is true, attracted to the trust companies certain money that would normally have gone to POSO. However, it is not the policy of my ministry to diminish that function in any way.

ONTARIO WASTE MANAGEMENT CORP.

Mr. Barlow: Mr. Speaker, I have a question for the Minister of the Environment. On Monday or Tuesday of this week, I believe, the Ontario Waste Management Corp. announced the funding of \$75,000 to intervenor groups. I know we discussed this during consideration of the ministry's estimates, but I wonder whether it is going to be a regular practice within the ministry to fund intervenor groups, not only in this matter but also on other topics as they develop over the years.

Hon. Mr. Brandt: Mr. Speaker, I appreciate the question raised by the honourable member. The precedent has been set with respect to the Ontario Waste Management Corp. where moneys have been provided for the intervention that we feel is necessary in the case of establishing a safe and adequate liquid industrial waste site. There was one other situation where intervenor funding was allowed, and that was with respect to the hearings related to the changes in regulation for the destruction of polychlorinated biphenyls.

Those are the two instances either directly or indirectly associated with my ministry where intervenor funding has been allowed. There is no

intention at the present time to expand that to other undertakings under my ministry, such as environmental assessments or any of the reviews that are carried out under the Environmental Protection Act.

I do not know whether the member's question implied that he was in favour of or opposed to that type of intervener funding, but I want to assure him that we are studying the larger question to determine whether there is an appropriate role for intervener funding to play in other situations. At the moment, it is limited to two, the Ontario Waste Management Corp. and the regulatory reform on PCBs.

SOCIAL WORKERS LABOUR DISPUTE

Mr. McClellan: It is so nice in here without the official opposition to clutter things up.

Mr. Speaker, I have a question for the Minister of Labour with respect to the labour dispute at the Metropolitan Toronto Association for the Mentally Retarded.

I am sure the minister will share the concern we have raised in the past about this strike, which is affecting many hundreds of mentally retarded clients of the MTAMR. I want to ask the Minister of Labour whether he will use his good offices and the services of his mediator to bring the two parties back together at the bargaining table as quickly as possible.

From discussions with his mediator, does the minister have the same sense that I do, that management is not aware the union changed its bargaining position as long ago as two weeks, that management does not appear to be aware of the union's current offer and that management does not appear to have clearly communicated its latest position on the wage scale? Communications were identified in the Woods Gordon report as one of the major management problems in this agency, and I am beginning to believe that.

Will the minister try to get his mediator to get these people to sit down together?

Hon. Mr. Ramsay: Mr. Speaker, I do not know what is responsible for the mood here this morning, but the questions have been very constructive.

Interjections.

Mr. Martel: Just give me the next question. I want to get back to normal.

Hon. Mr. Ramsay: I knew it was too good to last.

The honourable member raises an excellent point, and it is one that has been disturbing. I agree with him. I have sensed from my conversations that there is a more conciliatory

mood out there, and that is an encouraging sign. In direct response to his question, yes, we are trying to get the parties back to the bargaining table and we are optimistic we will be able to do so very shortly.

In that respect, the assistant deputy minister of the industrial relations division for my ministry, Vic Pathe, will be holding, for want of a better word, premediation meetings early next week with both parties. He has already made arrangements to meet with representatives—I should stress that; not with both parties—of the two parties in an effort to set up the resumption of mediation meetings. I know progress has been made in that respect.

Mr. McClellan: I want to ask the Minister of Labour a question about one of the issues in the dispute, and that is management's proposal to have two wage scales, one wage scale for current employees and a second wage scale for new or future employees.

I wonder whether the minister will look at this proposal from the perspective of whether two wage scales, one at a high rate and one at a lower rate, are not going to lead to violations of our laws with respect to equal pay for equal work. It seems to me, and I am sure the minister will agree, that if there are two wage scales, one higher than the other, future employees are put into a position that will provide them with challenges under the equal pay for equal work laws.

Will the minister review this issue before his mediation sessions with management and, quite frankly, advise the management in this dispute whether they want to find themselves in a position of conflict with our equal pay legislation?

Hon. Mr. Ramsay: As I have said before, I do not make a practice of commenting on the particular stances of the respective parties. However, the member has cast a new light on a circumstance. I must admit it is one I had not thought of. There is a question there concerning the equal pay laws, and yes, I will definitely have to look at something like that.

HYDRO INSURANCE

Mr. Di Santo: Mr. Speaker, I have a question for the Minister of Energy. The minister will no doubt remember that I raised an issue in the estimates that took both him and Ontario Hydro by surprise. Now that he has had time to look into the matter, can he tell the House whether he has examined the 18 court cases in which Hydro is the defendant against insurance companies, and

can he tell the House why such a large number of court cases is pending and why Hydro is in a position where it has to go to court to settle insurance cases that individuals and citizens are able to settle out of court?

10:40 a.m.

Hon. Mr. Andrewes: Mr. Speaker, the honourable member is quite correct; he did raise the issue. But he did not raise it with me; he raised it with the chairman and president of Ontario Hydro. I cannot report to the member in any detail on the substance of his question. I will be glad, if he wishes, to take it as notice to provide him with that detail. Having posed the question to the executive of Hydro, I assume they will be providing him with the answer. If that is not forthcoming shortly, I will be glad to try to expedite the answer for the member.

Mr. Di Santo: I am surprised at the minister's answer, because this implies some policy angles that are the responsibility of the minister. If such a high number of insurance companies, 18, refuses to pay Hydro for damages that in many instances are related to significant event occurrences and if only one case has been settled out of court, is there not a possibility that the insurance companies are refusing to pay because they think there is a responsibility on the part of Ontario Hydro, in terms of negligence or otherwise?

Is it not the minister's responsibility to tell the House, first, why there are so many cases outstanding; second, the reason for so many cases; third, how many cases relate to significant events; and fourth, how many cases in any given year have been settled out of court?

Hon. Mr. Andrewes: I can only comment on the safety record of Ontario Hydro. I think the member will agree the utility's safety record has been excellent.

The member has touched on rather a difficult issue in that some of these matters are before the courts. It presents me with some difficulty, as it would the Hydro executive, to comment on them when they are before the courts. I can only reiterate to the member that these are questions of detail. They are matters arising between employees of Ontario Hydro and the utility itself. My responsibility to this House is to report on the activities of that utility, in terms of its financial responsibility and other matters related to the supply and service of electricity in Ontario.

Mr. Di Santo: The minister must understand, although there are cases before the courts, that one of the cases I am referring to is the case that

was discontinued on June 24, 1984. I am asking the question because there might very well be a situation where Ontario Hydro is losing millions of dollars because of those accidents. If there is a responsibility, I think it is the minister's responsibility to find out the reason it happens in so many cases. The minister is hiding behind the court cases. I asked him to comment on cases that have been dropped by Ontario Hydro.

Hon. Mr. Andrewes: The member is asking me for details of cases with which I am not familiar. If he would give me the specifics, I will be glad to pursue those matters with Ontario Hydro. Once again, because they are matters relating to the day-to-day operations of that utility, they are not matters I would generally report to this House.

VOLUNTEER BOARDS

Mr. Sheppard: Mr. Speaker, I would like to ask the Minister of Community and Social Services a question. There was a report in the Toronto Star on November 22 that a prominent labour leader was demanding that the minister abolish all voluntary boards and directorates. I am very concerned because in my riding we have the Port Hope-Cobourg association for the mentally retarded. I certainly would not want that kind of board to be abolished. Has the minister met with this labour leader who was mentioned in the Toronto Star on November 22?

An hon. member: Name him.

Hon. Mr. Drea: Mr. Speaker, since someone says the member should name the labour leader, I think it is well known that it is Mr. Majesky, the president of the Labour Council of Metropolitan Toronto, who is going to storm into my office and get me to abolish volunteer boards. He has not shown up yet.

On a very serious note, I regard some of the utterances of Mr. Majesky—and I hope they were made in a spirit of exuberance rather than in a spirit of reality—as very detrimental to some of the most progressive things in Ontario. One of the great strengths in this province is the fact that most social services, exclusive of direct income maintenance, are provided and delivered by some 1,900 transfer agencies, 99 per cent of which are operated and supervised by volunteer boards.

Members will recall that during the discussions and debates on Bill 77, both in standing committee and in committee of the whole in this House, considerable interest was focused by the two other parties on the protection and enhancement of volunteer boards, most specifically last

spring. While it was one thing to be able to move in on a children's aid society because it was a mandated service, none the less there should be protections and a different approach towards the volunteer agencies because of their volunteer boards.

I do not agree that volunteer boards, as mentioned in that article, are "mere window dressing." I think that is a very unfortunate description. Volunteer boards are composed of community leaders. They are community leaders because they are on those boards. They bring to those boards a community responsibility and a respect for the individual that a government or any type of collective board simply cannot do. As long as I am minister, the full resources of this ministry will be devoted to enhancing volunteer boards not only in the area of the developmentally handicapped but also in the areas of all agencies delivering social services.

IMMIGRATION

Mr. Grande: Mr. Speaker, in the absence of the Minister of Citizenship and Culture (Ms. Fish) I would like to put a question to the Deputy Premier.

The Deputy Premier is aware, I am sure—and I am sure he is not going to hide behind the shoulders of the Minister of Citizenship and Culture in answering this question—that the federal government in its economic statement a week and a half ago increased the fees for applications for citizenship from \$8 to \$25 for minors and from \$15 to \$40 for adults. For minors the increase is 213 per cent and for adults it is 166 per cent. I am sure the minister also knows that more than 50 per cent of the immigrants who come to Canada come to and stay in Ontario.

On the basis of that information, what protests, if any, has the Deputy Premier made on behalf of his government to the Conservative government in Ottawa regarding these exorbitant increases?

10:50 a.m.

Hon. Mr. Welch: Mr. Speaker, I would agree with my honourable friend that a very high percentage of those who come to Canada choose Ontario as their residence. Indeed, Ontario has benefited greatly over the years from large numbers of people who have come from many lands to establish themselves here. The member and I exchanged questions and comments on this subject when I had the responsibility of my colleague in this whole area of newcomer integration and the importance that multi-

culturalism plays in developing the lifestyle of our area.

I must admit I have not had a recent conversation with my colleague on the question of the impact of that statement on the ability of our newcomers to acquire their full citizenship, but I will follow up on this question to ascertain what the full implications are.

Speaking generally, as much as we could, I think we would want to facilitate the desire on the part of so many people to acquire their Canadian citizenship, but I lack some of the detail about any official response which may have gone from my colleague to either the federal minister or her other counterpart in Ottawa.

Mr. Grande: If there is a response from this government, I am not aware of it. I am wondering whether Brian Mulroney has put a gag on this government, as well as the federal ministers in Ottawa.

However, given the fact that the minister is not aware of any response, can the minister, as the second in line in power in this province right now, make it known to the federal government today that these increases which are to become effective in April or May of next year should be terminated, that there should not be any increases? Otherwise, the work everyone in this province has been doing for many years, including the Deputy Premier as the former Minister of Culture and Recreation, to encourage our immigrants to become Canadian citizens, will have been in vain and these exorbitant increases will become a monetary obstacle for them.

Will the minister say to Brian Mulroney that even though immigrants do not tend to vote for Conservatives, none the less he should not be punishing them because of that fact?

Hon. Mr. Welch: Mr. Speaker, perhaps I will be allowed to comment on three matters raised by my honourable friend. The results of September 4 confirmed that Canadians from all backgrounds supported my national leader and his party. Let there be no question about that. I would want to underline that those who have sought their opportunities in this country, coming as they do from so many lands and who know the advantages of freedom of expression and enterprise, would be very comfortable in a political party headed by Brian Mulroney, now the Prime Minister of Canada. That point should be made quite clear.

Second, in the spirit of that question, that same national leader would be the last one to want to mug anybody from that standpoint or put any

dampener on expression. I want the member to realize that he heads a party which places a great deal of emphasis on consultation and on wanting to have the expression of all points of view. To know this, one only has to see the popularity which he now enjoys from all parts of Canada and in those parts of Canada which have large representations of new Canadians.

This government, headed by the member for Brampton (Mr. Davis), and that government, headed by Brian Mulroney, would not want to put anything in the way of those wanting to enjoy full citizenship in this country. We will express those sentiments from time to time in those appropriate places, encouraged as we are by the member's interest in the welfare of our national party.

MORGENTALER TRIAL

Mr. Kolyn: Mr. Speaker, I have a question for the Attorney General. I have had a number of constituents recently who are very interested in the Morgentaler case and they were wondering when the Attorney General is going to be coming down with his decision of whether he is going to appeal.

Hon. Mr. McMurtry: Mr. Speaker, my senior criminal law advisers have been working very hard on this matter. It is one of the most important and difficult decisions the ministry has faced. I have not yet received a recommendation from my senior law officers. I expect this recommendation to be forthcoming within a few days.

INJURED WORKER

Mr. Martel: Mr. Speaker, I have a question of the Minister of Labour, and I do not raise these matters in the House very frequently. It involves a constituent who is an injured worker. He will lose his home in the next two weeks. I will give the minister the man's claim number. It is 8861830.

This matter has gone to all levels of appeal. The man has received a disability allowance since 1976 at 45 per cent. He only started to run into financial difficulties because of the strike in Sudbury and, ultimately, the lengthy layoff during which he lost his confectionery. In view of these points, will the minister intervene to ensure that he does not lose his home in the next couple of weeks for tax arrears and a mortgage? On that 45 per cent disability allowance, the compensation board has turned him down at all levels and will watch him lose his home.

Hon. Mr. Ramsay: Mr. Speaker, I am at a disadvantage because I do not know the full details, nor do I have the file. As the member knows, there are thousands upon thousands of files within the Workers' Compensation Board.

The member opposite has brought other individual cases to my attention in the past. I think he will agree that in each case I have followed up accordingly. In one case I think we were quite successful in reaching a happy resolution for everybody concerned. Without making any commitments whatsoever, other than that I will be pleased to look into it, I will follow up accordingly.

Mr. Martel: What really is difficult to understand in these commutations is the judgments made by some people at the board. For example, they say a commutation would not be a rehabilitation measure.

The man and his family are having great difficulty. They are going to lose a home that he personally built because somebody at the board decided this would not help him. I wonder what it is going to do to the man if he loses his home. Is that not a rehabilitative measure—to guarantee that the board takes half and computes it? I will give the minister the whole file so that he will know the submission made by the community legal clinic in Sudbury on the man's behalf. I do not think we can afford this.

Would the minister have someone review the whole policy on commutation? I think it is nuts.

Hon. Mr. Ramsay: To answer the last question first, we have Bill 101 in the Legislature right at this time.

Mr. Martel: Right, and it does not do a thing.

Hon. Mr. Ramsay: Hear me out, please. There are several features in that, including a new corporate board that will be able to study and look at policies and procedures. That corporate board will have representation from various walks of life—from the injured workers, the medical community, management, and so on. I am very optimistic about the value and eventual productive steps that will be taken by that corporate board because there will be a variety of interests represented on it. I believe the opportunity will be there to examine these problems in greater detail and perhaps greater dedication than at the present time.

Will I look at the file? Yes. I have already given that commitment in my first response.

WELFARE RECIPIENTS

Mr. Watson: Mr. Speaker, I have a question of the Minister of Community and Social

Services. My concern relates to who has the access to people who are on welfare in this province.

In the town of Wallaceburg, which is a part of the county of Kent, certain councillors have requested that they be allowed to see the lists of those receiving welfare in their community. Is this possible? If it is, how do they go about it?

11 a.m.

Hon. Mr. Drea: Mr. Speaker, this area is serviced by a county unit. The county administrator of social assistance has the records. They are certainly available to the county council. They are not available to individual municipalities or to individual councillors. This matter has been going on for some time. I do not know why somebody in Wallaceburg wants to play Jim Rockford, private eye.

We have said on two occasions that Wallaceburg is a unique area in the province. There is no resident of Wallaceburg who is employable and also receiving social assistance. It is unique in the province, but for some peculiar reason there is a doubter on the local council.

The county council has looked at this matter and has voted that it is not going to begin a process of sharing confidential information with a member municipality or a member of its council. It is one thing to share statistics, trends, problems and needs, but it is another to begin giving addresses and names and allowing people to have a look.

I say to those in Wallaceburg who are so interested, if they have reason to believe there is something so extraordinary going on that they should have the right to the information, then they should write to the minister and state their case. They still will not see the information, but the minister will look into their allegation. I hope this ends the matter, because I have written to the council of Wallaceburg on two occasions to say this is not going to happen. I am not going to keep on spending 32 cents to tell them what the law is.

WATER RENTALS

Mr. Stokes: Mr. Speaker, I have a question for the Treasurer. Is he aware that Ontario Hydro pays into the consolidated revenue fund something in the order of \$100 million by way of water rentals on a horsepower basis? Will he join with his colleagues the Minister of Northern Affairs (Mr. Bernier) and the Minister of Tourism and Recreation (Mr. Baetz) to allocate the water rentals generated on the Nipigon River system and dedicate them to the Nipigon parkway commission in the same way as he does for the

Niagara Parks Commission to look after that beautiful attraction on the Niagara River?

Hon. Mr. Grossman: Mr. Speaker, my colleague the Minister of Northern Affairs tells me we have a long and strong record of supporting that area, with or without the water rentals being shared in that way.

I would remind the member that I increased the water rental charges very dramatically in my budget.

Mr. Stokes: About 70 per cent.

Hon. Mr. Grossman: That is correct. That additional increase, however, did not accrue to the Niagara Parks Commission either. We did not have a great increase of moneys going to one and not the other; rather, we maintained the status quo with respect to the commissions.

Since both areas seem to be thriving, I do not see any need to use the water rentals in that way. However, both my colleague and the next member, Mr. Files, have raised the importance of that enterprise to me, and I have told Mr. Files I would be delighted to consider other ways to provide additional financial support to that great area.

Mr. Stokes: In the interests of fair play and uniformity, why does the Treasurer not move now and enhance his position vis-à-vis other aspirants to the leadership? Why does he not make the announcement now that he is prepared to do something real and significant to broaden the economic base by way of tourism along the Lake Nipigon watershed and treat us in the same way as he does the Niagara Parks Commission?

It is my understanding he gives that commission about \$2.7 million a year. As a result of the three hydro generating stations, I know the water rentals on the Lake Nipigon watershed would be in excess of \$1 million. If the minister did that, he would be doing everybody in northern Ontario a favour, even Mr. Files, whoever he might be.

Hon. Mr. Grossman: As someone who spent some time during the summer vacationing in the north—

Mr. Martel: He went last weekend.

Hon. Mr. Grossman: It was long before last weekend. I know a little about tourism in the area because I spent a great deal of time with the North of Superior Travel Association. I think we have made large gains in the area. All my friends in the Northern Ontario Tourist Outfitters Association would agree we have made great strides in the area.

I had occasion to meet many people in that area last week and we agreed there were certain things

that could be done in tourism, and these have been done. I suggest it would be hard even for the honourable member to think of things that might be done to help tourism in the area that my colleague the Minister of Northern Affairs—

Mr. Martel: They just turned the camera off the minister.

Hon. Mr. Grossman: That completes my answer then.

Mr. Speaker: Order.

Mr. Stokes: He said two weeks ago he thought it was a fascinating concept.

Hon. Mr. Grossman: He shared that with me, as has Mr. Files. We agree it is a fascinating concept. All the people in the area have indicated—

Mr. Stokes: The minister must not try to play political games with me.

Mr. Speaker: Order.

Hon. Mr. Grossman: Of course, the member for Lake Nipigon would not be playing a political game this morning. I got quite a lesson in the political games the member has succeeded in playing. I applaud his success in that over the years.

However, the file will be closed shortly.

MOTION

COMMITTEE SCHEDULE

Hon. Mr. Wells moved that the subcommittee on communications with the public of the select committee on the Ombudsman be authorized to meet on the afternoon of Tuesday, November 27, 1984.

Motion agreed to.

ORDERS OF THE DAY

THIRD READINGS

The following bills were given third reading on motion:

Bill 43, An Act to amend the Off-Road Vehicles Act;

Bill 58, An Act to amend certain Acts related to Payments in Lieu of Taxes to Municipalities;

Bill 91, An Act to amend the Regional Municipality of Sudbury Act;

Bill 129, An Act to amend the Assessment Act;

Bill 131, An Act to amend the Income Tax Act.

11:10 a.m.

MARQUIS VIDEO CORPORATION ACT

Mr. Cousens moved second reading of Bill Pr2, An Act to revive Marquis Video Corporation.

Motion agreed to

Third reading also agreed to on motion.

LONDON REGIONAL GALLERY ACT

Mr. Cousens moved, on behalf of Mr. Van Horne, second reading of Bill Pr7, An Act respecting the London Regional Gallery.

Motion agreed to.

Third reading also agreed to on motion.

CITY OF LONDON ACT

Mr. Cousens moved, on behalf of Mr. Van Horne, second reading of Bill Pr19, An Act respecting the City of London.

Motion agreed to.

Third reading also agreed to on motion.

OSHAWA YOUNG WOMEN'S CHRISTIAN ASSOCIATION ACT

Mr. Mitchell moved, on behalf of Mr. Cureatz, second reading of Bill Pr25, An Act respecting the Oshawa Young Women's Christian Association.

Motion agreed to.

Third reading also agreed to on motion.

CHARTERED INDUSTRIAL DESIGNERS ACT

Mr. Cousens moved second reading of Bill Pr26, An Act respecting the Chartered Industrial Designers.

Motion agreed to.

Third reading also agreed to on motion.

CITY OF NEPEAN ACT

Mr. Mitchell moved second reading of Bill Pr27, An Act respecting the City of Nepean.

Motion agreed to.

Third reading also agreed to on motion.

CITY OF BELLEVILLE ACT

Mr. Edighoffer moved, on behalf of Mr. O'Neil, second reading of Bill Pr30, An Act respecting the City of Belleville.

Motion agreed to.

Third reading also agreed to on motion.

UNITED JEWISH WELFARE FUND ACT

Mr. Cousens moved second reading of Bill Pr31, An Act respecting the United Jewish Welfare Fund.

Motion agreed to.

Third reading also agreed to on motion.

CITY OF OTTAWA ACT

Mr. MacQuarrie moved second reading of Bill Pr32, An Act respecting the City of Ottawa.

Motion agreed to.

Third reading also agreed to on motion.

ASSOCIATION OF REGISTERED INTERIOR DESIGNERS OF ONTARIO ACT

Mr. MacQuarrie moved second reading of Bill Pr33, An Act respecting the Association of Registered Interior Designers of Ontario.

Motion agreed to.

Third reading also agreed to on motion.

TOWN OF IROQUOIS FALLS ACT

Mr. Kolyn moved, on behalf of Mr. Piché, second reading of Bill Pr39, An Act respecting the Town of Iroquois Falls.

Motion agreed to.

Third reading also agreed to on motion.

BUSINESS OF THE HOUSE

Hon. Mr. Wells: Mr. Speaker, before moving to the next order, I would like to indicate to the House that there is a slight amendment to the business of the House for next week. We will deal with third readings of Bills 77 and 89 standing in Orders and Notices as the first order of business on Tuesday afternoon.

ORDERS OF THE DAY

House in committee of supply.

ESTIMATES, OFFICE OF THE DEPUTY PREMIER

(continued)

Ms. Bryden: Mr. Chairman, I think we agreed to spend the first hour today on the Ontario Status of Women Council and then to revert to item 1 of vote 402. That is my understanding of the plan for this morning in order to get in approximately a full hour on the Ontario Status of Women Council.

The Deputy Chairman: Whatever is the wish of the honourable members. Is that what the member for Windsor-Sandwich (Mr. Wrye) understood as well?

Mr. Wrye: Mr. Chairman, we had agreed we would spend about an hour on the vote on the advisory council at the outset today.

On vote 402, women's issues program; item 2, Ontario Status of Women Council:

Mr. Wrye: As I remember his opening remarks, the minister did not speak in any great detail about the Ontario Status of Women Council and the Touche Ross report. As the minister knows, I spent some time reviewing my comments on the Touche Ross report. Perhaps we might start by getting some comments from the minister on the key recommendations and some of the concerns I raised.

Hon. Mr. Welch: Mr. Chairman, I agree with my friend the member for Beaches-Woodbine (Ms. Bryden) that we were going to devote as much time as we could this morning to the advisory council. I have a number of responses to questions that were raised on other days. I take it I should leave them until Monday or at least until we have put in an hour on the advisory council.

11:20 a.m.

I would like to make one or two observations on the council. We had the advantage of the Touche Ross report and we have made some changes. As a result, I have met the council members and suggested they take on an expanded mandate, emphasizing particularly that they do some regional consultation.

We have filled the vacancies on the council and we have named a new president. I see the council as integral to the work we do with respect to women's issues. I also see the council as advisory to the entire government although it reports to government through the Minister responsible for Women's Issues.

I would emphasize, as it has been a point raised in questions from time to time, the arm's-length relationship of the council, in that it would feel a great sense of independence and feel free to examine legislation, policies and programs and to bring its advice to government.

The last time we talked about it there was some question about whether or not the annual report was available. It was, and I think we have sent the members copies of the last annual report.

Rather than spend a great deal of time on it, perhaps I can simply say the role of the council has been clarified as a result of the Touche Ross report, and the discussions that followed the receipt of that report would have included at least the following matters:

First, there should be a shift from the general identification of issues to the development of solutions. I would like to be seen by both my friends in these estimates as one who spends more time looking for solutions to a number of these matters than in simply identifying all the problems. We will look to the council for the identification of major issues and advice on the

strategies that are involved in implementing the follow-up.

As I have already mentioned, as a result of that report and my discussion with members of council, I see the need to heighten the emphasis on regional consultations. Policy solutions require sensitivity to local community needs, and this is something we have to make sure is encompassed in its reviews.

Strong links with communities are to be forged through these regional consultations. I talk about regional consultations as well and the importance I attach to them because they will ensure, as far as I can ascertain, local information and provide an opportunity to council to interpret its recommendations to communities. It will involve mainstream women and community and volunteer groups, as far as the council is concerned, in formulating its recommendations.

The Minister responsible for Women's Issues will be requesting that the council undertake various productive initiatives to provide, for example, advice on the concerns of particular groups such as women in the north, rural women, native women and immigrant women, and we will be focusing on these special concerns as well. I repeat that we have now filled the vacancies. The estimates reflect an increase during last year to provide for increases in so far as these regional consultations are concerned.

I am sure the members have had an opportunity to review the Touche Ross report as well. Not only would I welcome their comments with respect to Touche Ross, but if, as the member for Windsor-Sandwich indicated in his remarks, the report has been found deficient in some respects, I would welcome some suggestions on how we might overcome those deficiencies, because I am very anxious that the council be seen as an integral part of our response and our sensitivity to the concerns of the women of the province.

Mr. Wrye: Mr. Chairman, let me pursue three areas with the minister and ask him to be quite specific in dealing with each of these areas. Perhaps before the minister answers, my friend might want to speak to any of the areas I raise. I have three.

The first is specifically the Touche Ross recommendation, and the minister's apparent approval, that the role of the president continue to be part-time. I was very clear in my opening statement—and it has been the view of my party for some time and it has not changed because of the Touche Ross report—that the president should be full-time.

The Touche Ross report identified, as I remember it, eight to 10 major issues the president should be involved in—anywhere from leading the council's meetings to consulting on a regular basis with the women's directorate and the minister and, within all three, to travelling to the various regional meetings that are proposed in the Touche Ross report.

It is a bit of decentralization that I certainly approve of. It seems to me the whole volume of those duties almost demands a full-time role for the president and not a continuation of the practice of two to three days a week. Is the minister still considering a full-time role or has he now formally adopted that recommendation of Touche Ross? If so, why? I find that almost incomprehensible based on the balance.

The report also seemed to strike the need for some kind of balance between the women's directorate and the advisory council. I was at pains to point out in my opening comments that I did not expect it to be a numerical balance. However, I am certainly disappointed there is not some suggestion of a triangle, as it were, with the two organizations reporting to the minister and handling all these issues. In one organization, the leading executive officer, the president, is not even a full-time employee. I find that simply a wrong recommendation.

The second issue I would like the minister to comment on is the decision to include the executive director of the women's directorate as an ex officio member of the advisory council. I think I understand the rationale for that, but I worry about it.

The Touche Ross report goes on at length to identify the need for independence on the advisory council. Then it seems to fly in the face of that recommendation by proposing that the executive director be an ex officio member. Perhaps I am just a little suspicious, but I really worry about having that kind of relationship. I would be appalled if the executive director and the president did not meet on an ongoing basis, but I see no need for the executive director to be an ex officio member of the council. I would like to get the minister's comments on that.

Finally, the minister said the advisory council is not only defining issues, it is now proposing solutions. As he knows, the advisory council has proposed a solution to Bill 141. It has proposed that the legislation be split and the amendments beyond section 1 of the bill be carried separately. I would like to hear how the minister responds to the proposals, which I believe have now been sent to him publicly in writing by Ms. Ion.

Those are three areas I hope the minister will be willing to explore with us in some detail.

Hon. Mr. Welch: I would like to respond to the member for Windsor-Sandwich, starting with his third point and working backwards.

I am aware that at the last meeting of the council there was some discussion in connection with how Bill 141 would be handled. I may have misread the recommendations I received from the council, but I think they were talking about having it split for purposes of debate. In so far as I read it, they were very clear that all parts of the bill would be passed before we prorogued. There was no attempt to defer or postpone any portion of Bill 141.

I was not at the discussions, but I sense they felt it would be helpful if the issues were clearly separated so they could be fully debated. I think they believed passage of the entire bill before we prorogued would be in the best interest of the women of Ontario. However we might want to facilitate debate would be fine with them.

Mr. McClellan: If it ever is called.

Hon. Mr. Welch: It is my understanding the House leader will be calling that and no doubt it will be law before the Christmas recess. It will be a very positive signal to the women of Ontario with respect to those issues.

11:30 a.m.

I think the honourable member will appreciate that the council, being an advisory one, analyses situations and makes recommendations. The political responsibility for the ultimate decision rests in our system with the government. We stand to be accountable for whatever decisions we take on the basis of what advice we receive. Anything that would facilitate the passage of Bill 141 in its present form would be desirable, and no doubt members of the House, through our respective House leaders, can organize that debate when that time comes.

Working backwards, the other point is the—

Mr. McClellan: The minister should talk to his House leader.

Hon. Mr. Welch: I will be very happy to. In fact, we are in constant contact.

The other point is the membership of the director of the women's directorate in an ex officio capacity. I am delighted this question has been raised, because it does really help to explain in a very brief way the reasons for the Touche Ross report in the first place.

As members know, the council we are talking about is more than 10 years old. I was Provincial Secretary for Social Development at the time of

the birth of the council. We implemented that, along with the green paper on equal opportunity for women, about 1973. One of the recommendations of the royal commission on the status of women at that time was that such councils should be set up across the country.

As usual, Ontario was quick to follow that recommendation and was one of the first to do so under the distinguished presidency of Laura Sabia of St. Catharines, who provided outstanding leadership to that work at that time and was the first president of the council.

At the time of the council's creation, there was no minister assigned responsibilities for women's issues. The council reported through the Provincial Secretary for Social Development and had its mandate as described in the order in council. I feel it did remarkable work over that period of time, making recommendations to various ministries of the government.

One of the recommendations of that council was that the Premier (Mr. Davis) would assign responsibility for women's issues to one of his ministers. In May 1983, that is what the Premier did. He stood in his place, responding to that recommendation, and said the Deputy Premier would now be the Minister responsible for Women's Issues and set out the work that was to be done.

The Minister responsible for Women's Issues stood in his place and within days announced the establishment of the directorate and the work that was going to be done. It then seemed logical, since there was this new organization being put in place, that there should be some examination as to what the role of the council would be vis-à-vis the directorate and so on, as we have discussed.

One of the great emphases to be placed, of course, is on good communication, making sure people understood what is being done. There is no need to duplicate; there is so much work to be done. It is important for the directorate to share with the council in very positive ways the work it is doing and for there to be some relationship as far as the council and the directorate are concerned.

It just seemed to make sense to have the director of the women's directorate as an ex officio member of the council to provide that communication link. She takes no position with respect to the discussions of the council and, quite rightly, has no vote. She is able to provide information and, to the extent that we are asked, to provide some help with respect to administrative matters and so forth.

I see that as a very positive matter. I do not think in any way, although it may be for others to comment, that should jeopardize or threaten the independence of the council. I see it as making good common sense to have this linkage between the new directorate and some understanding of its role and work, as members of the council proceed to deal with their responsibilities. I see that as positive and I want to continue that.

To come to the point with respect to the presidency, I have accepted the recommendation of Touche Ross that it is not necessary to have a full-time president. This does not mean that some day I could not be persuaded, on the basis of work load and the volume of that load, that we might have to move to that. We have a president now who is paid on a per diem basis. If that requires five days some week and only one day the following week, no one is saying there can only be so many days. It is on a per diem basis as the responsibility requires.

I would remind members, and the member for Windsor-Sandwich has agreed with this emphasis, that if we do decentralize to a large extent and have this regional presence on the part of the council and this consultation, we hope we will see the council divided into panels for that purpose, with each panel being chaired. There will be some sharing of responsibility as the council moves out to understand better the attitudes in the various regional communities and as the president brings this together in a co-ordinated way at the regular meetings of the council.

If the member is asking me, at this time I have not been persuaded, and certainly I have not been encouraged in my present position by the objective Touche Ross report, to move to a full-time presidency. That does not suggest in any way I am minimizing the importance of the council. Council has been equipped, because of the increased emphasis on regional meetings and its mandate, to fulfil its function. The per diems are being increased to reflect the added work load, not simply on the president but on the members of the council as well, and I am fairly optimistic we will see some very positive work done by members of the council.

In summary, I am not persuaded to move to a full-time presidency at the moment. I am, therefore, following the recommendation of Touche Ross. I see the ex officio membership of the women's director on the council as a very positive linkage from the standpoint of information and communication, and I look forward to the ultimate passage of Bill 141. No matter how

the debate is organized, the main objective is to get Bill 141 into legislation so we will have equal pay for work of equal value in Ontario for substantially similar jobs. We will also have improved benefits for maternity leave and the application of those benefits to adoption.

Mr. McClellan: When is the minister going to eat these documents?

Hon. Mr. Welch: I am much better with chocolates in the afternoon.

Ms. Bryden: Mr. Chairman, the main issue in discussing the Ontario Status of Women Council is its independence. Its mandate is to examine and monitor legislation affecting women and to advise the government on the programs related to the needs and status of women. I do not see how it can fulfil that role of evaluation and monitoring unless it is a fully independent body.

The minister gave away his view of it when he said he sees it as an integral part of the government's response to women's interests which follows from his appointment. As a result of its being considered an integral part, it has to get its budget from the minister.

The last two chairpersons who have been in office during the minister's heading up of the directorship have gone in for contortionist acts in order to appear to support the principles adopted by the council on the question of equal pay for work of equal value and at the same time to appear to support the government policy, which is to bring in a bill which does not deal with equal pay for work of equal value in any real sense of the words. Women will not get equal pay for doing dissimilar jobs under that legislation. It denies equal pay for work of equal value to all the women who are working in job ghettos, in jobs where there are no male equivalents to whom to compare their work.

We have seen it right here within the public service. Parking lot attendants are still paid about \$60 a week more than receptionists, despite having fewer educational qualifications. It is simply false advertising, as I said earlier in a debate on Bill 141, to say that the present bill, unless amended by the New Democratic Party amendment, introduces equal pay for work of equal value.

11:40 a.m.

Getting back to the Ontario Status of Women Council, it has done very valuable work over its 10 years. The list of its studies, reports and conferences is very impressive, covering every subject from battered wives to pornography, family law, child care and equal pay for work of

equal value. The commission has come out formally in favour of equal pay for work of equal value.

When Sally Barnes was chairperson, she appeared before the standing committee dealing with Bill 141. She indicated that, "Yes, the council agrees with the principle and I agree with the principle, but we need more study; the government should slow down on implementing this until it knows more about it."

That seemed to me to be showing the council was no longer supporting the principle through its spokesperson. We have a new chairperson now in Ms. Ion. She has been writing letters to the three House leaders saying the council still supports the principle of equal pay for work of equal value, but urges the government to take the step toward what she sees in Bill 141.

Her first letter just said, "Take that step." Her second letter said, "Take that tiny step." Apparently some of the women's organizations have indicated to her that while they do not think it is any step at all, she is backing away from the first position and saying it is only a tiny step.

We question whether it is a tiny step or any step toward equal pay for work of equal value. It does show the two recent chairpersons appear to think that part of their role is to push the government policy and somehow or other reconcile it with the policies adopted by the Ontario Status of Women Council over the years.

This is a very serious question; we must work to ensure the independence of the council. This is where we have to look at new measures.

In September 1983, the standing committee on procedural affairs reviewed the work of the council. It came up with four recommendations for change and to ensure its independence:

1. It said that any overlap between the government ministries dealing with women's programs and the council should be clarified so the role of the council as an advisory body is quite clear.

2. It said the minuscule budget of the council must be increased in order to provide for adequate research, consultation with women and expertise in the staff.

3. It said the selection of the members should be based on consultation with women's groups and other interested groups throughout Ontario.

4. It said the chairperson must be full-time.

Those were the recommendations of that all-party committee. If the council was to be independent and fulfil its mandate, those four things had to be done.

Then along came the Touche Ross assessment, but before the Touche Ross assessment, the status of women council itself examined its role and in 1982, Lynne Gordon brought out a proposal endorsed by the council for revamping itself. It favoured all four of the recommendations the procedural affairs committee made: a full-time chairperson; a broader selection of people on the board and calling on women's organizations for advice; a much-increased budget for research and for outreach; and a more clear establishment of its independent position.

In fact, the council went so far as to suggest that perhaps it should be removed from the Provincial Secretariat for Social Development and made into an office on women. Perhaps as an office it could even report to the Legislature. I certainly think that is the way we should be moving at the present time to separate it from the directorate.

The Touche Ross report did look at the question of the role of the council and it came up very firmly in favour of its independent role. It said, "The status of women council gives independent and external advice presenting the view of women and the public." That was its concept of its role and that is what it recommended the council should continue to do.

Its terms of reference were to decide whether the council should be abolished, whether it was no longer needed now that we had a Minister responsible for Women's Issues and now that we had a directorate—a \$5-million directorate, I might say—to carry out the responsibility of looking after women's issues.

The Touche Ross people concluded there was a definite role for an independent commission, and they supported all but one of those recommendations for change: that is, a broader geographic representation, more research money, more outreach and more money for the members of the council in order to bring the council out from appearing to be a second-class advisory council whose members are paid considerably less than those on other advisory councils in the government, such as the Ontario Advisory Council on Multiculturalism and Citizenship, the Ontario Advisory Council on Senior Citizens and so on.

I would like the minister to tell us what he has done about that recommendation and what he is paying the present members of the council, both the president and the members. The Touche Ross committee recommended that their pay be raised very substantially, and I think that if the council is to be put on the same basis as other advisory

councils, this recommendation should be looked at.

Touche Ross did back away from the full-time chairperson, but I think that recommendation is inconsistent with the rest of its report because the rest of its report calls for a role for the council that would require a full-time chairperson to co-ordinate and direct the work of the council in fulfilling its enlarged mandate. The Touche Ross report recommends an enlargement of the mandate to cover much more regional work and to cover additional groups within the community.

The minister himself tells us he has now asked the council to look into the problems of new groups. He mentions women in the north, rural women, native women and immigrant women. I think there is certainly a great need for the council and the directorate to look into the needs of these particular groups of women. They are very underserved in this province. We do not have very much in the way of services for battered immigrant women. We do not have very much for native women, either in battered wives' services or generally in other services to help them achieve a position of equality in society.

There is a great need for work in those fields, and the minister says he is going to ask the council to do special studies on them; but he is not prepared, apparently, to give them more than a minimal increase in their budget.

11:50 a.m.

He did mention there is something like an \$80,000 increase in its budget its year, but the year before the budget was absolutely flat. There was no increase from the previous year in the estimates for the year before. In a way, perhaps he is doing a bit of catch-up on the present staff, but there is very little room for expansion in that minimal budget.

If the minister is going to have an independent council, he has to indicate by his actions that it is really independent. First, he must take it out of the directorate, so the directorate is not responsible for its budget or for its direction. He should either put it back under the Provincial Secretariat for Social Development or consider setting up an office on women that would be responsible to the Legislature.

Second, he should broaden the geographic, occupational and community representation of the council in its appointments, instead of it just being part of the big blue bureaucracy or part of the patronage system of the Conservative Party. It must become a council that is widely representative of women's groups and other

groups interested in the many problems of women.

Third, he must ensure there are adequate funds to carry out its mandate and that the cabinet provides those funds. Funds should not come through the directorate. Fourth, there must be a full-time chairperson in order to carry out the very large mandate.

We have three reports from groups making these recommendations, one from the Ontario Status of Women Council itself, one from the standing committee on procedural affairs and one from Touche Ross. It seems to me that to ignore these reports is to ignore some very serious thinking about the independence of the council.

Another recommendation the council included in its proposals was an interministerial committee on women's issues at the deputy minister level. The work of all ministries could then be brought to bear on women's issues, rather than just the directorate.

These are some of the things I would like the minister to look at and I would like him to reconsider the whole status of the Ontario Status of Women Council.

Hon. Mr. Welch: Mr. Chairman, in response to the member for Beaches-Woodbine, I will start by saying I have never seen the advisory council as part of the directorate at all. When the member asks me to take it out of the directorate, I answer that it is not there anyway.

The member should look at the vote we are discussing. There are two separate votes, one for the council and one for the directorate. It never has been part of the directorate. In fact, the directorate or the Ministry responsible for Women's Issues is only one area of government the council advises. It is a government-wide advisory group, but because of accountability to the Legislature it has to report to the House through some minister.

Ms. Bryden: That is the problem.

Hon. Mr. Welch: The member should think what it would do if we fragmented the entire constituency with which the government deals with respect to its various programs. All ministers have ultimate responsibility and I trust that is how the member for Beaches-Woodbine would want it to be in a democracy. A member of the executive council has to account ultimately to this Legislature.

Prior to that responsibility being assigned to me it was assigned to the Provincial Secretary for Social Development, but the council was seen as an advisory group to the entire government. That has not been changed. By its very order in

council, it assesses legislation in all the ministries and the programs of all the ministries. It could not consider family law reform, for example, without coming into contact with the Ministry of the Attorney General. It could not talk about child care without coming into contact with the Ministry of Community and Social Services or the Ministry of Education, to name only two. If the member for Beaches-Woodbine goes through the various reports to which she made reference, she will see the council comes into contact with different ministries with respect to the delivery of their programs, and, therefore, it is not part of the directorate.

As I said in response to the member for Windsor-Sandwich, since there is an organization within government now called the Ontario women's directorate, it seemed appropriate that there be that linkage. To the extent we can provide some help from the administration or access to whatever records and information we have, it seemed to make better sense to have it here than to duplicate these services. The member asks me to take it out of the women's directorate, but I am asking her to take a look at our estimates. It is not in the women's directorate; it is a separate vote.

The member for Beeches-Woodbine was correct in mentioning that we are asking the committee this year to vote \$88,600 more to the council than was voted last year. I did not conduct the preparation of that budget for last year, but this is a fairly substantial increase. It does not take long to calculate that. I ask the member to find any agency in this government that has such a percentage increase this year over last year.

The member points out that perhaps there is some catch-up. I am not really anxious to get involved in a great discussion of that. I am analysing things as they are now and in the future. We are providing the council with increased resources to carry out its work. I hope most of that will be used by the council, after the adjustment of the per diems to which the member makes reference, for these regional consultations.

Just before I leave that, the new per diems the member has asked for are effective as of today and there is no retroactivity. They are as follows: the president's per diem has been increased to \$200 a day; the vice-president gets \$150 a day and members of council \$125 a day.

Mr. Wrye: Why are they effective today?

Hon. Mr. Welch: It is because of the order in council.

In talking about the council, the member quite properly drew attention to the fact that council had considered Bill 141, and that got us back into a brief discussion of that bill. I must insist on making one point in replying every time that bill is mentioned. I am impressed with the sincerity with which the member views Bill 141, but I must reiterate that it will provide equal pay for work in substantially similar jobs.

If Bill 141 is passed as it stands today on the Orders and Notices of this Legislature it will eliminate the rigid, four-point test and move us to a composite test. This will put Ontario in the position of being able to declare that its legislation guarantees equal pay for jobs of equal value in substantially similar jobs. I say substantially similar jobs because it is very important to make that distinction between the application of the principle to such jobs as compared with dissimilar jobs. That is where the debate is and that is where I am looking forward to carrying on our discussions after completing our discussion on this part of vote 402.

The only reason this is not passed now is because there was some effort on the part of the third party not to proceed with the bill until some undertaking was made with respect to amendments. There are no amendments and there is the bill. I think it is important that we at least deliver this next step to the women of Ontario—equal pay for substantially similar jobs.

The member takes some time discussing a letter signed by the new president of the council to the member for one of the Sudbury seats. I am delighted to know that members of the Legislature feel quite free to deal directly with the council and that the president and members of the council are responding. That is what this is all about. They are advisory to government.

12 noon

She made reference to words I used when I said I saw the council as an integral part of the government's total response to and sensitivity to women's issues. She used that then as some evidence that the council is not independent. I was flabbergasted to say the least, because it is an integral part. The government, the Lieutenant Governor in Council, the cabinet of Ontario, have put such a council in place and the order in council spells out what is expected of them.

How else could the council be in place if the government did not take that initiative? Thus, to say it is an integral part does not rob it of its independence, but indicates the various organizational manifestations with respect to re-

sponding to this very important issue that stands high on the public agenda of the province.

The member for Beaches-Woodbine made some comments on the December 1983 recommendations of the standing committee on procedural affairs. Let us take a look at the recommendations, along with the comments made by the honourable member.

In summary, the standing committee on procedural affairs recommended that the Ontario Status of Women Council be continued with expanded resources to carry out its responsibilities. Let us look at that.

It is being continued with a wider mandate and was given a substantial increase in resources. The first recommendation was that the Ontario Status of Women Council receive additional funding in order to carry out its various tasks and responsibilities. That has been done.

Recommendation 2 was that the status of women council devote more of its resources to strengthening its research capacity. Let me be quick to point out that a lot would depend on the definition of "research." I would hope it means that if, in order to find out more information the council finds itself out in the various regions of the province talking to the women of Ontario, it would have the resources to have access to all sorts of research facilities within government and in other organizations that have done a great deal of work.

Subject to the council's decision—the minister would not want to be directing it—it now has a recommendation from a parliamentary committee that the women on the council should be carrying out more research. It is up to the council to respond to that.

Recommendation 3 is that the council assume a more assertive role in communicating and consulting with the women of Ontario. I say "Hear, hear" to that. I hope it will and that now, with some additional resources and strengthened resolve, we will find the council consulting with the women of Ontario.

Recommendation 4 of the parliamentary committee is that the position of president of the Ontario Status of Women Council be made a full-time position. We have not accepted that recommendation. Before I took that position, I awaited the outcome of the Touche Ross study. I have not closed my mind to it, but at the moment it is a part-time position at an increased level of per diem payment.

Recommendation 5 is that the minister responsible for the council adopt the recommendation that women's organizations and other groups be

offered the opportunity to participate in the selection process for appointments to the council. That tack is supported by what the member for Beaches-Woodbine calls "a wider basis of selection."

I hope the members of this committee understand that ultimately appointments to the council come from the minister. There is wide consultation and many opportunities for a minister to satisfy himself or herself with respect to the willingness of people to serve on such councils, their capacity and their areas of interest.

With the tremendous amount of publicity given to the council and the vacancies on it, if the members were to read my mail they would see I have received many letters from organizations and people volunteering their services. To suggest we do not have a process by which we consult leaves an unfortunate impression.

If I were a member of the council, I would feel almost insulted by the suggestion of the member for Beaches-Woodbine that the council is made up of people who are captive members of a particular political party of this province. I have met some members of the council and the last conclusion I would come to is that they felt particularly loyal to the political party to which I belong.

There was no evidence of that. They have been done a great disservice by the suggestion they are members of the so-called Big Blue Machine. I will leave it to the members of the council to respond to the member for Beaches-Woodbine because she does those members a great disservice in attempting to label them in some partisan way. We have sought competent, interested, dedicated people as members. I know they feel quite free to be open and frank in their opinions and to share their advice.

I hope I have covered all the points that have been raised by the member. It is important to see the council now getting on in the spirit of the last 10 years. The member for Beaches-Woodbine did make reference to the excellent work it has done and the reports it has made. In order to reflect the fact that we now have the Touche Ross report and we now have increased resources, we have suggested that the council might better be known as the Ontario advisory council on women's issues so that it would more clearly reflect the wider focus.

We have what we might call the Ontario advisory council on women's issues with its new mandate to be out in the province consulting with women in a very aggressive way, with increased resources reflecting the increased responsibilities

that will be placed on members of the council, and advising the government in accordance with the terms of the order in council establishing this council.

If I have missed any points, it was not intentional. I hope the members will draw my attention to any concerns they continue to have.

Mr. Wrye: Mr. Chairman, I want to pick up on one of the comments the minister made about the independence of the council and the role of the executive director of the women's directorate vis-à-vis that, and to touch on another matter in the Touche Ross report.

Just by way of a comment, one of our problems on this side with Bill 141 is exactly the kind of thing the minister keeps referring to, and that is the idea that we will have equal pay for work of equal value for similar jobs. It does a disservice to the women of this province and to those who are fighting for equal pay for work of equal value, for this minister and this government to start trying to trumpet some kind of charade, and that is what it is, that Bill 141 will bring in equal value legislation.

It will not bring in equal value legislation as we understand the term "equal value." It will bring in equal pay for equal work in its tightest possible way. It will tighten the equal pay for equal work law we have in Ontario by allowing for a composite of skill, effort, responsibility and working conditions in similar jobs, but it will not take us one step beyond that. It is equal pay for equal work in a tight and neat way. Since it has been some 10 years since the equal pay law was last amended, that kind of minor amendment, which is what I call it, could have been brought in a long time ago.

In terms of the minister's staged progress, I do not think we ought to consider in any way, and I think some people in the Equal Pay Coalition would resent it, a suggestion that Bill 141 represents equal value legislation. It does not. The minister knows that. He understands and we understand exactly what is meant by the common term "equal value"; namely, equal pay for work of equal value, and this is not it.

12:10 p.m.

I want to return to the Touche Ross report and particularly to the independence of the executive director. The minister makes a point, which is made on page 9 of that report, about the executive director as an ex officio member, suggesting "she attend occasional council meetings or on request from the council." I have no problem with "on request from the council." It seems to me she does not have to be an ex officio

member to respond to a request from the council to attend a meeting. I am well aware that she will not participate and will not vote.

Perceptions are important. The council is supposed to be an independent body. When council meets as a whole to review either the actions or the inaction of this or any other government, it is important that it not feel constrained by the attendance of the executive director of the women's directorate, who answers directly and in a much more dependent way to this minister and this government. She is an employee of the ministry. She is not an independent individual—or he is not, if we get to that at some point.

I cannot understand the comment that Touche Ross makes that council members should not be constrained by this link. I think that is exactly what is going to happen. Council appointments are not for ever. They are subject either to reappointment or to their membership not being renewed. A council member may very well feel constrained and unable to speak his or her mind on some issue on which the government and the opposition of the day are at loggerheads.

That is really the point. My friend the member for Beaches-Woodbine was talking about independence, and that is exactly the point we are getting at, that it will constrain the perceived independence of the council. If just one member of that council feels at any one time that the appearance of the executive director of the women's directorate at a council meeting somehow inhibits that member's ability to speak freely and directly about a matter of government policy, then this recommendation of Touche Ross and the minister's approval of it will turn out to be wrong.

I also want to ask the minister what is meant in an earlier paragraph on page 9. Perhaps it is just the paranoia of a member who does not come from the environs of Metro Toronto.

On page 9 it says, "We would encourage the elimination of specific representation from formal groups, which would maximize the opportunity for full geographic and expert representation." That is fine. "As well, we would encourage sufficient representation from places in and close to Toronto to provide sufficient and timely support to the president, who is required to spend a great deal of time in Toronto."

Does this mean we are going to have representation, as pointed out on page 8, from the various regions but that we have to have a lot of people from Toronto to make sure that when the key decisions have to be made quickly, we have a

lot of people from in and around Toronto? Is the important criterion, which I applaud, of having geographical representation from the northeast, the east, the central east, the central west and the southwest, more show than substance?

I ask the minister this question because I am sure that in his thorough review of Touche Ross's report he probably came upon that paragraph and may have sought some clarification of what it meant. It really does bother me as someone who comes from the far reaches of the great southwest and sometimes feels, along with his constituents, as do many other people in the far north and the far east, that perhaps Queen's Park just forgets there is a world beyond the 30-mile limit outside Metro Toronto.

I want to raise that question with the minister for a response, and also challenge him a little more on this appointment of the executive director. I really want to hear his response to my concern about what might happen should a council member feel constraint. Is that not a possibility?

It would be interesting to know whether a large number of past council members have been approached and asked whether they would ever have felt constrained by an executive director—in this case, that of the women's directorate, which is the government's main bureaucratic body—sitting in on an independent council's meetings.

Hon. Mr. Welch: Mr. Chairman, I certainly have no evidence that any member of council feels constrained by the attendance of Glenna Carr, the director of the Ontario women's directorate, at its meetings.

I have told the member why I thought the recommendation made some sense from the standpoint of communication. If I wanted to press this point a little further, a great concern faced the council after the announcement by the Premier of the assignment of responsibilities for women's issues to a minister and the establishment of the directorate.

The very logical questions the council asked were: "What about us? What will be expected of us under this new arrangement? What will the directorate be doing that perhaps we were doing, because there is a lot to do?" That made a lot of sense to me. As I have already mentioned on a couple of occasions, that was why we had Touche Ross come in the first place, so there would be some objectivity to an overview of those roles.

My understanding from the director herself is that she does not take part in policy discussions as such but answers questions that are asked of her.

If I ever thought there was any great groundswell of concern on the part of the council about constraint or some infringement on its independence, I would be glad to sit down with council and review that.

I must share with the member the idea that the motivation is to ensure good communication linkage. I cannot add any more to that. It seems to me to be common sense. It seems to me the public of Ontario would think that makes sense. If people have common goals and objectives, they want to make sure everybody working in the area shares their experience.

This is really the first time I have heard this concern, but I do not minimize its importance. I commend the member for the spirit in which it is given. He wants to ensure there is some objectivity in this work, as does the minister. If the member has the name of anyone who is at present a member of this council and feels in any way encumbered by the presence of the director, he might speak to me privately.

Mr. Wrye: I will get on the phone after lunch.

Hon. Mr. Welch: I would not want him to arrange that call now, but rather I would prefer to respond to the concern.

I am only guessing, but I assume in regard to the other recommendation about which the member expressed some concern, namely, geographic representation—and he is talking to a minister who does not come from the Metropolitan Toronto area—the consultants were faced at the time with the fact that, and this may still be the case, there was an executive committee of some kind that used to attend to some of the details.

I do not know whether that is still going to be part of the work of the council, but it was felt one could bring members of an executive committee together on quicker notice if they were a little closer to the operation. As far as I am concerned, we have not consciously in a geographic sense linked the membership of this council to the Metropolitan Toronto area.

That is a matter of fact which can be studied on the basis of the actual addresses of members of the council. However, that does provide me with the chance to agree with the member when I say: "I want this council out on a regular basis talking to the women of Ontario. They are not only here in Metropolitan Toronto." That is why I place a new emphasis on regional consultation.

Political decision-making requires a balance. It is important to satisfy ourselves we are listening to these very women's groups to which the member makes reference and to individuals

who may find it much more convenient to speak to this council in their home areas than having to come all the way here to do it. I want the council to move out of the Metropolitan Toronto area as it addresses these issues of some importance and to sit down and talk to the women of the province.

To that extent, we will ensure regional input in an even more effective way. The member for Windsor-Sandwich and I will both be satisfied, when we read these reports and see these recommendations, that they have been arrived at and completed on the basis of a wide discussion. I am not trying to suggest the council has not been doing this. To the extent it has the resources, it has been doing it; but I want to make more resources available so it can do more of it. I speak to the question of geographic representation in that way.

Before these estimates are concluded, I take it we will have another chance to go back to equal pay. No doubt in the debate on Bill 141 we will have a chance to continue to make our points. I feel quite sure the House leader will be calling Bill 141. He is in his seat now and he can hear us all expressing our concern about Bill 141.

12:20 p.m.

We talk about equal pay for equal jobs, or what Judge Abella is now calling employment equity. It is very important that we see that Bill 141 will move us towards these goals.

I have some information for which I did not want to take the time today because I want to respect the understanding we have to talk about the council, but I think the member for Windsor-Sandwich asked a question that was very reasonable, as most of his questions are. It concerned what would happen with respect to the reported cases under the existing law if we had had the new law in place.

I have some indication of the improvements in those files that would have been made had we had Bill 141. That can be seen as strengthening the current principle with respect to equal pay for equal jobs, or it can be interpreted, as I like to see it, as some illustration of what Judge Abella refers to as more equity in the work place.

I do not hesitate to repeat what was in the statement of the Minister of Labour when he introduced Bill 141. By the introduction of the composite test, we take a very substantial step towards applying the comparable-worth approach to substantially similar jobs.

It is important to recognize that the debate is going to be about the application of the principle, not about the principle itself, as it relates to substantially similar jobs. Therefore, when

one puts the word "substantially" in front of "similar," one gets into some degree of subjectivity and comparisons of dissimilar jobs.

The member for Beaches-Woodbine and my friend the member for Bellwoods (Mr. McClellan) are very anxious to share with me examples of the application of the principle of equal value legislation to dissimilar jobs. The member for Bellwoods will not want to do that this morning because he will violate the agreement among the member for Beaches-Woodbine, the member for Windsor-Sandwich and myself that we would devote most of the morning to the council and that he would restrict himself to the consideration of these estimates when we get back—

Mr. McClellan: The minister knows I have the stuff and he does not want to see it.

Hon. Mr. Welch: I am ready for it. I have the same information the member has, and I am ready. If we have permission from the others, we could abandon the discussion on the advisory council and get back to Bill 141, whatever the member likes.

Mr. McClellan: Mr. Chairman, I do not intend to abandon anything. I want to raise some concerns with the minister about the kind of information he appears not to have been provided by the advisory council.

On November 19, the minister said in the House that he had never heard of examples of equal pay for dissimilar work.

Hon. Mr. Welch: In Quebec.

Mr. McClellan: In Quebec. He said: "Give me one example from Quebec of equal pay for work of equal value for dissimilar jobs." How long has this minister been in charge of his present portfolio?

Hon. Mr. Welch: Since May 1983.

Mr. McClellan: Since May 1983; and I assume the minister is telling us that nobody in the directorate has been able to find a single example, in the words of the minister, of a case of equal pay for work of equal value for dissimilar jobs from Quebec. Is that correct? Is that what the minister is telling us?

Hon. Mr. Welch: It is right in Hansard.

Mr. McClellan: That is exactly what the minister has told us. The minister pays all these people all this money to monitor progress in other jurisdictions, and there is an advisory council on the status of women that is keeping him up to date on everything happening in this great Dominion of ours in other jurisdictions, but they have not bothered to share with the minister a single example of equal pay for work of equal value for

dissimilar jobs. Is that what the minister is saying?

Hon. Mr. Welch: My friend is about to perform that service.

Mr. McClellan: I find that preposterous. Before I perform that service, I want to say to the minister that I find it absolutely ridiculous, absurd, preposterous and intolerable, to say nothing of being silly. Before I perform that service for the minister—

Hon. Mr. Welch: Who is evangelical now? I can hardly wait. Please, please tell me.

Mr. McClellan: Before I perform that service, I have another service I will perform first. The minister said on November 19, in a throw-away line, "There was a group in Ottawa, the general service group"—

Interjections.

Mr. McClellan: Is the minister listening? I do not think he is listening.

The Deputy Chairman: It is hard to tell whether or not he is listening.

Mr. McClellan: I know.

Let me repeat what he said on November 19: "The next question is, how can we be helpful in this debate by providing the type of example you need. That was one way I was going at it, saying to people who were coming in to talk to me about it, 'Give me some example to go on.' There was a group in Ottawa, the general service group, and there is an element of similarity in those jobs too, I think."

Does the minister not know about the case in Ottawa? He does know about the case of Ottawa. He does know about the settlement in Ottawa that affected 3,300 of the lowest-paid employees in the federal civil service and gave an award of \$17 million on a case involving equal pay for dissimilar jobs. He does know about that case.

Hon. Mr. Welch: I did not cite that as being dissimilar.

Mr. McClellan: The minister was suggesting that he thought there might be something, involving something, but he was not too sure. It was a case involving 3,300 workers in completely dissimilar jobs, with a wage settlement in the vicinity of \$17 million. Let us not play any games about the effectiveness of the federal legislation, which has been documented, which has been written up in scholarly journals—I have a scholarly journal here—and which has been written up in the press.

Hon. Mr. Welch: That is one case. Now how about Quebec?

Mr. McClellan: How about Quebec? I am not bilingual, and my French is grade 10, high school French. But even I, who am not bilingual and am struggling with the handicap of grade 10, high school French, am able to read this document of the Commission des droits de la personne du Québec, dated le 10 mars 1983, on the number of Quebec human rights code, equal-pay-and-equal-value cases since 1978.

Between 1978 and 1983 there was a total of 37 cases. Twenty of them went through the full process of adjudication, 12 did not proceed because the jurisdiction was lacking and five were withdrawn. Of the 20 full-process cases that proceeded to a final determination before the human rights commission, six were based on similar work, nine were based on dissimilar work and five were a mixture of equal and dissimilar work.

Of course, the appellants did not win in all the nine cases that involved dissimilar work. There are nine cases in which there was a hearing with respect to equal pay involving dissimilar work.

12:30 p.m.

Hon. Mr. Welch: How many were successful? Is that not what I was really looking for?

Mr. McClellan: Yes, I am coming to that. Does the minister have his chocolate sauce? Last Friday he promised to eat the examples, and I assume he will want to do that today.

In March 1978 there was the Schenley case involving 31 employees, nonequivalent work and a settlement of \$30,900. In November 1980 there was the Wonder Bread case involving 18 workers and a settlement of \$14,400. There are two cases for the minister.

I am in the process of trying to obtain some more material, and I expect to have some more material for the minister by Monday. I am working on this on my own initiative. I have no expertise in this area. I have not been doing any work in this area, which quite frankly is a critic's responsibility, since Ted Bounsall's bill. It took me from Friday of last week to Friday of this week to find two documented cases in which complainants were successful in receiving an award on the basis of discrimination involving dissimilar work.

If it took me all of one week to find two documented cases, I wonder if somebody can explain to me why the Minister responsible for Women's Issues comes into this Legislature and says, a year and a half after he was appointed to his job, that nobody in his directorate and nobody on the advisory council has been able to come up with a solitary example of equal pay for work of

equal value involving dissimilar jobs. Can the minister explain this ludicrous situation to me?

Hon. Mr. Welch: Mr. Chairman, in anticipation of even more evidence being developed by the member—and I appreciate the amount of work he has done, knowing all the other responsibilities he has—obviously I want to examine the two cases he gave me to satisfy myself that they do fall within the ambit he suggests. The member for Beaches-Woodbine has been kind enough to provide me with the material to which he referred.

I could have provided him with some other examples from our research, not necessarily the two cases to which he has made reference but others which on the surface appeared to be equal value cases involving dissimilar jobs. The reason they were settled had nothing to do with any standard brought in from outside. They were seen to be in violation of the company's own job evaluation system. That is a different matter and puts a different complexion on the whole thing.

Having the advantage of the weekend, I will take a look at the two examples the member has given me to satisfy myself before he orders sauce of any flavour. I will do some further work on that, and no doubt we will have an opportunity to review those.

I do appreciate the fact that the Canadian human rights example he gave was a very substantial award under the Canadian Human Rights Act. I indicated there was some degree of similarity with respect to some of those jobs, but there is no question that there was a great degree of dissimilarity with respect to those jobs. The then federal minister, Ms. Erola, and I discussed those cases.

It would be very unfortunate if we left the record at that before we returned to the council, however, because there is no debate about the principle involved as far as this minister is concerned.

Members of this Legislature have embraced the principle of equal pay for work of equal value. When we embraced that, we made no distinction between substantially similar jobs and dissimilar jobs. We talked about the whole concept of equal pay for work of equal value. We talked about getting on with Bill 141 to clear up at least the problems we felt we have with substantially similar jobs. We talked about what we are being told by a number of sources, that there still appears to be some need for a better public understanding of what is meant by the application of the principle in regard to dissimilar jobs.

It may be that the member has provided us with a more valuable service than even he understands at the moment, by pointing out that there may be some differences of opinion about which jobs are substantially similar and which ones are dissimilar from the standpoint of companies' own job evaluation systems. That remains to be seen.

I do not want this portion of our discussion to leave any suggestion that there is a big contest going on here between one side of the House and the other about the principle of equal pay for work of equal value, because there is not. We are talking about implementation and about how this will be staged in the interests of the people of the province.

With your permission, Mr. Chairman, and with the permission of members of the committee, I might acknowledge the fact that there was some discussion in this House, I think on Monday, about child care and its importance. At that time, I reported that the federal-provincial territorial task force on child care, which had been considered at the last meeting of the ministers at Niagara-on-the-Lake, was being convened.

The first meeting of that group is being held today; I had breakfast with them this morning. I am advised that some of the senior staff members from across the country, who are here discussing this very important topic, are in the galleries today to listen to this stimulating debate on chocolate sauce and strawberry sauce.

I do hope we now have the opportunity to return—

Mr. McClellan: Members will notice how cleverly he changed the subject.

Hon. Mr. Welch: Before these estimates are over, we will no doubt have an opportunity to review the facts that have just come from the extensive research in Quebec of the member for Bellwoods.

The Deputy Chairman: The member for Beaches-Woodbine—no, the member for Windsor-Sandwich.

Mr. Wrye: Mr. Chairman, I will yield to my friend in half a second, but I would like to follow up and give the minister one more case; then we can return to the status of women.

Ms. Bryden: The member for Windsor-Sandwich is off topic.

Mr. Wrye: I know. I will be very brief. I have six—

Hon. Mr. Welch: I cautioned the member for Bellwoods before he started.

Mr. McClellan: I was dealing with the failure to provide relevant information.

Mr. Wrye: I will give the minister eight lines with no editorial comment and then allow my friend to resume, if that is okay.

In 1978, 24 female office workers of the Quebec North Shore Paper Co. in Baie Comeau, the riding of the Prime Minister, were compared with male production workers. They were awarded an increase of \$16,830, or \$701 per worker, plus a retroactive one-year payment of \$25,914, or \$1,080 per worker. The female staff were typists, receptionists and IBM operators. The male staff were wood measurers, draftsmen and inventory clerks. The jobs appear to be dissimilar. Perhaps the minister will help us with a report on Monday.

Perhaps the minister will also report on the comments about child care made by the Minister of Industry and Trade (Mr. F. S. Miller) last night.

I thank my friend for yielding.

Ms. Bryden: Mr. Chairman, I would like to point out to the committee that I supplied all this information to the Minister responsible for Women's Issues this morning so he would be able to stop saying, "Present me with a single case."

Actually, in the debate on Bill 141 in early October, I read into the record the fact that there were nine cases in Quebec based on equivalence rather than on equal work. It seems to me that his staff should have been reading the debates on Bill 141 and should have been aware that I had told him at that time there were nine cases of equivalence. He now has the documentation on the nine cases which I supplied to him this morning and which my colleague has read into the record. I was going to do that after we finished the debate on the status of women.

Perhaps we could get back to the Ontario Status of Women Council and conclude it this morning; then we will have some time on Monday to get back to Bill 141. However, I did want to comment on the minister's remark that was something like, "The bill is before us but there are no amendments to it." There is the New Democratic Party amendment for equal pay for work of equal value.

I also draw to the minister's attention that there is no reference in Bill 141, as originally presented by the government, to the words "equal value." It is only in the explanatory note. Somehow the person writing the note perceived that equal value was in the bill, when it was not.

I hope the minister will correct the record when he said there were no amendments to Bill 141 on the equal pay section. That is what the argument is about.

12:40 p.m.

Getting back to the Ontario Status of Women Council, the minister did provide us with some interesting figures on personnel establishment in the directorate. However, he did not provide us with any figures on the establishment in the Ontario Status of Women Council. I very much question how all the things he would like to see the council doing can be done on a budget of \$267,800, which is the current budget for that council, compared with \$4,792,700 for the directorate.

It is simply ridiculous to suggest that the council can operate in a regional area, can consult with women, can carry on research, can carry out its mandate of monitoring legislation and can stimulate interministerial activity and consultations with various ministries and can do all the things the minister has suggested it should be doing on that kind of peanuts budget, which is what it really is.

The council should come out from under the Office of the Deputy Premier. While he may say it is not part of the directorate, it is part of the Office of the Deputy Premier; that is where its budget is and that is where its budget is determined. If it were an independent advisory body, it would obtain its budget either from the Legislature, to which it would report, or from one of the secretariats, to which some of the other advisory councils report. That is my real point about independence.

I would like the minister to tell us why he did not accept the recommendation of Touche Ross to raise the per diems to the figures they suggest, which would presumably bring the part-time members up to what other part-time members of advisory councils get in this government. Is it a case that he is not observing equal pay for work of equal value within the appointments to the advisory council?

Touche Ross suggested \$250 for the president; he has raised it to \$200. They suggested \$200 for the vice-president; he is raising it to \$150. They suggested \$150 for members; he is raising it to \$125. If the Touche Ross assessment is correct, and these are the rates based on other advisory councils, it looks as if there is still discrimination against the members of the status of women council and it looks as if the principle of equal pay for work of equal value is not being recognized in that area.

The other point the minister made was about whether the appointments were part of the patronage system. They publish the names in the annual reports, but they do not publish anything about their backgrounds or what sort of community groups or interests they represent. Is there any representative connected with the trade union movement who is on the council? Is there any representative of immigrant women's groups? Those are the sorts of groups that might have a say that would be useful for the future work of the council. Until they actually open up the nomination of members to recommendations from representative groups, interested groups and women's groups, we cannot have any assurance that the council is representative of the interests of women.

Those are the questions I would like the minister to answer. First, is he going to change the budget to fit with the concept of the work of the council that everybody seems to be agreeing on today? Second, is he going to continue what appears to be wage discrimination for the people who serve the council? Third, is he going to broaden out the selection process so that no accusations of patronage can be made? Finally, is he going to consider recommending that the council be split from the Office of Deputy Premier so it can be truly independent?

Hon. Mr. Welch: Mr. Chairman, in response to the member for Beaches-Woodbine, let us look at the simple mathematics; if I am wrong, I am sure she will correct me. If we take a look at last year's budget for this council, located as it was in the Provincial Secretariat for Social Development, and compare it to this year's budget in the office of the Deputy Premier, does she not find a 50 per cent increase in the budget of the council?

Ms. Bryden: Fifty per cent of nothing is practically nothing.

Hon. Mr. Welch: Perhaps she might want to publicize that this year when we are trying to talk about things. If she would just take a look at those two estimates, last year's and this year's, I think we have a 50 per cent increase.

We have representatives here from other governments in this country, and I would ask them to share with us how many agencies or ministries of any government anywhere get a 50 per cent increase.

Second, I ask the member to take a look at the per diems. Some of those increases are in the 80 to 85 per cent range. This may be of some significance as well. We have made very substantial increases in the per diems, and I am

very pleased about that because it recognizes the very valuable role that is played.

I am told—and it is something that is a matter of fact, and I cannot change the facts—that these per diems compare very favourably with those of other councils. The member may well find some that are higher. I am not trying to deny that, but I am told they compare favourably.

So I add those facts: a substantial increase in total budget and substantial increases in the per diems. They have to be included in some organization here for accountability because they have to get to the floor of the House to be approved in these estimates. That is what we are doing now.

If the member is urging even more resources on me, I hope that will go on the record and I will use it as justification, because the allocation process for the next fiscal year is under way now. But I am pointing out to the member that these are the percentage realities that apply to two of her three questions.

The third question has to do with organized labour. She knows that people do not sit on the council by virtue of their membership in any particular organization. The community involvement, the backgrounds of members of council who are appointed are usually set out in the press releases announcing those appointments.

But concerning connection with or membership in organizations or groups such as organized labour, I draw the member's attention to Eleanor Ryan in Ottawa, and the recent appointment of Dorothy Ann Kirby-Rawn of Toronto, who, I understand, has been an active leader in Local 200 of the Aluminum, Brick and Glass Workers International Union.

Ms. Bryden: Mr. Chairman, I will respond very briefly to what the minister said. He knows enough about statistics to know that percentages do not tell the full story. But if he wants to talk in percentages, the council gets about five per cent of what the directorate gets, and it seems to me in view of its mandate that this is completely inadequate. The minister is just playing with statistics when he says it is a great increase over last year. It is still completely inadequate for the mandate it has.

With regard to the representation on the council, there are a lot of women's caucuses springing up now throughout the trade union movement and representing women from many trade unions, not just from one. The Ontario Federation of Labour has a women's caucus, for example. Most of the public service unions have a women's caucus that represents several unions,

and those are the sorts of bodies the minister should perhaps be looking to for nominations in order to represent the very large number of women who are in trade unions generally, not just one union.

Hon. Mr. Welch: Mr. Chairman, I think perhaps this does provide one with an opportunity to point out some of the changes that have happened. It may well have been that when the council was first established, the way to have access to government—other than by going to a particular line minister to talk about a particular program—and to go and make representations in order that these excellent reports could be prepared, was indeed to go directly to the council.

I want the honourable member to understand that the Minister responsible for Women's Issues, since his appointment in May 1983, has met many individual women, many groups and many of these coalitions. That happens to be our system of access to government. No one has to be filtered through an advisory council or any group to talk to government about general matters of women's issues.

12:50 p.m.

I have met with the Equal Pay Coalition on more than one occasion, if memory serves me correctly; I have met with a number of these groups to which the member has already made reference. That is what I am here to do. That is what sharpening the focus and raising the level of awareness with respect to women's issues is concerned with.

I have been to the university women's clubs and to all sorts of organizations throughout Ontario that are having regional consultations on family violence. The whole method of our operation is to be out and involved and listening and responding. One of the groups I look to from time to time as having some input is the Ontario advisory council on women's issues. This is not going to be the only source and I do not want anyone in Ontario to think for a moment that this is the only way to talk to government.

My colleagues in this government are out talking to groups all the time. That is the relationship there has to be. There is no organization in Ontario that can complain—

Mr. McClellan: They should do less talking and more listening.

Hon. Mr. Welch: I would agree. My grandfather told me that when I was first elected. He said I have two ears and one mouth and had some obligation to divide my time accordingly, and I

try to do that. I try to give twice as much time to listening as I do to talking. That is very important.

We go through this in all our ministries. We are consulting all the time. Local 200 or Coalition X does not have to wait for an invitation to send a single person to a single group that meets a half a dozen times a year. Such groups can write to the minister and come to talk to him if they want to about anything related to his mandate. That is the type of government we have been operating in Ontario for many years with some degree of success.

If the member wants to know what this minister has been doing, I have the records of the total number of the speaking engagements, the meetings with women's groups and organizations and other groups. It is a very impressive number of meetings. That will increase as people begin to feel comfortable in not going through any particular organization, but coming directly to government. In this combination of ways, either in formal meetings, individual representations, regional consultations or all these methods, we will have the satisfaction that we are listening to the women of the province who can help translate some of these very important matters into practical programs and policies.

Ms. Bryden: The minister is talking about two different things. I am glad he is consulting with as many people as possible in order to find out what women really want, although he does not seem to be listening to them on Bill 141.

The status of women council has a mandate to evaluate and monitor existing legislation, policies and programs related to the needs and status of women. A consultation does not fulfil that role. The minister needs people who have staff, a full-time president and a full-time program to evaluate and monitor existing legislation and policies and to propose new ones. That is the job for which the minister needs a body of people that represents all those interested in the issues that concern women.

Hon. Mr. Welch: I do not deny that and I mentioned in my response to the member's last question that the Ontario advisory council on women's issues will perform a very important role in that regard. It has done and will continue to do so.

Even though the member is looking at a special item in vote 402, the resources of the whole government are available to the council as it requests information and requests the appearance of ministers or ministers' staff. The members should keep in mind there is no Ministry

responsible for Women's Issues as such; the role of the directorate and of the responsible minister is a co-ordinated one across the whole government.

All the line ministries have programs that have an impact on the women of Ontario. We talked on Monday about child care and the inter-ministerial committee on family violence involving 12 ministries. Now we are into 13 ministries. We should think in terms of all these programs. As the council discharges its responsibility to evaluate and monitor legislation, it will continue as it has in the past to summon those ministers and their staff to come to these meetings in order to equip the council with the information it needs. It does not have to rediscover methods of getting information in this regard when the staff of these ministries can provide the council with that information.

The members of the council have to do the evaluation. The member would be the first to criticize us if we invited others to do the evaluation for people we feel are quite intelligent enough to do that evaluation on their own.

I think it is important that we see the role that is to be performed. I am placing added emphasis on this business of regional consultation. If they are going to come to some adequate conclusions with respect to legislation and its impact, they should be discussing it in the larger community and with that constituency in order to come to some determination in that regard.

I do not think we are talking differently at all. We are just looking for different ways to satisfy ourselves that we are moving towards objectives we share. I believe we share the overall objectives of equity, fairness and justice as far as the women of this province are concerned. We may have honest differences of opinion as to how we accomplish them and the route we take, but let us not lose sight of the fact that we share those common objectives.

Ms. Bryden: The minister has not answered my question about the personnel establishment of the council. I do not see how they are going to organize these regional conferences, as well as carry on the evaluation and monitoring job, without a great increase in their present staff. I would like to know how many staff are provided for in this \$267,000 and how the minister expects them to carry out that regional job, as well as contacting immigrants, people in the north, rural women and so on, these new areas he wants them to move into.

Hon. Mr. Welch: I overlooked that question.

There are three staff positions as far as the council is concerned and there are resources within this budget for retaining contract staff from time to time. As far as regional consultations are concerned, I expect members of council from these various regions, as the programs are being organized, can rely to a large extent on volunteers in those regions to assist in some respects.

The impact of further decentralization may not have been fully experienced yet. I am quite prepared to listen to council members over the next several months with respect to any impediments they may see to carrying that out effectively, because I attach such a high priority to it.

In summary, there are three regular staff as well as resources for contract staff, and I hope a large number of volunteers will be enlisted on a regional basis to ensure adequate representation at those consultations. I have a commitment to review those matters as council members have more experience with that aspect of their work.

Mr. Wrye: I seek a further clarification. The minister mentioned resources for contract staff. I may have missed the level of resources that are available. How much money are we talking about for contract staff?

Hon. Mr. Welch: We are talking fee for service. I do not know if I have the particular breakdown of how much would be in the budget. If I do not, I can provide it to the member on Monday. In fact, it might be a good idea. It will give him some indication of what has been done in that area. I do not have an actual breakdown of that, but there are resources, when we put the resources together, to provide for some of that fee-for-service work.

Mr. Wrye: It would be useful in an overall context if the minister indicates on Monday how much of the overall budget of \$267,000 is for full-time or fee-for-service staff and how much must go for other items. In other words, how many dollars do we have to spend not only on staff, but also to do the ongoing work, the research, etc.?

Hon. Mr. Welch: Perhaps the member would take note of the fact that I do not have that figure readily at hand. Perhaps that is some indication of the true arm's-length service there is. Some of the arrangements will go on within the council itself. No doubt they will provide me with that information if I ask them.

Mr. Wrye: Will the minister also have clarification of the speech of the Minister of Industry and Trade last night?

Hon. Mr. Welch: Yes, I have asked for a copy of that speech. I am delighted that my colleagues who aspire to become Premier are carrying with them such a strong commitment to women's issues. I am sure that provides a great deal of comfort to the people of Ontario and helps to underline the importance we place on this matter.

Mr. Wrye: I would only add it is amazing we have not had the kind of meaningful progress, to use the words the minister used on television last

night, in the past, considering that all these people have been sitting in the cabinet room.

Hon. Mr. Welch: Even as we approach adjournment time, I do not want to overlook the importance of the work that has gone on. Certainly having built, and continuing to build, as well as we have, we should not be surprised to see some of these policies and programs accelerate in importance.

On motion by Hon. Mr. Welch, the committee of supply reported progress.

The House adjourned at 1 p.m.

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SPEAKERS IN THIS ISSUE

Andrewes, Hon. P. W., Minister of Energy (Lincoln PC)
 Barlow, W. W. (Cambridge PC)
 Bernier, Hon. L., Minister of Northern Affairs (Kenora PC)
 Brandt, Hon. A. S., Minister of the Environment (Sarnia PC)
 Bryden, M. H. (Beaches-Woodbine NDP)
 Cousens, D., Deputy Chairman and Acting Speaker (York Centre PC)
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 Sheppard, H. N. (Northumberland PC)
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 Turner, Hon. J. M., Speaker (Peterborough PC)
 Watson, A. N. (Chatham-Kent PC)
 Welch, Hon. R. S., Deputy Premier and Minister responsible for Women's Issues (Brock PC)
 Wildman, B. (Algoma NDP)
 Wrye, W. M. (Windsor-Sandwich L)



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Fourth Session, 32nd Parliament
Monday, November 26, 1984

Speaker: Honourable John M. Turner
Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday, November 26, 1984

The House met at 2 p.m.

Prayers.

COLLEGE FOOTBALL CHAMPIONSHIP

Mr. Worton: Mr. Speaker, I know members of the Legislature, and in particular members who are graduates of the University of Guelph, will join me in extending congratulations to the Guelph Gryphons on winning the Vanier Cup and the crown as Canada's premier college football team. It is the first time the Vanier Cup has been won by Guelph, and we are all proud of their accomplishment.

Mr. Bradley: Mr. Speaker, on the same point, I would like to draw to the attention of the House that the Guelph Gryphons were successful partly because of the efforts of an individual from the city of St. Catharines who happened to be a student at a school where I taught at one time. I cannot claim any of the credit for his talent, but Parri Ceci was chosen as the most valuable player in the game. We are happy to contribute to the success of the member for Wellington South (Mr. Worton) and that of his Guelph team.

ELECTORAL BOUNDARIES REDISTRIBUTION

Mr. Speaker: This is the moment we have all been waiting for. I beg to inform the House I have today laid upon the table the report on the redistribution of Ontario into electoral districts.

The report has been placed in the members' mailboxes as well, for their pickup.

ORAL QUESTIONS

NIAGARA RIVER WATER QUALITY

Mr. Conway: Mr. Speaker, in the absence of the Minister of the Environment (Mr. Brandt), my first question is to the Deputy Premier, who is also regional minister for Niagara. Is the minister aware of a critique written about the Niagara River toxics committee report, which will be released tomorrow?

The critique was written by two Environment Canada scientists who worked on the initial report, a critique that tragically represents a devastating indictment of the environmental protection policies of this government and of the

government of Canada. This critique says, in part:

"Clearly, the Niagara River and Lake Ontario are poisoned ecosystems in which all media, including people, contain varying amounts of biocides, or chemicals, produced specifically to kill biota.

"Ethically, this situation should not be acceptable. The concern then is about the health of the Niagara River and Lake Ontario ecosystems themselves and not just a matter of the number of human cancers caused by drinking the water."

Mr. Speaker: Question, please.

Mr. Conway: "It is about values and choices, the value society places on people, their lifestyles and their life support system—the environment."

Is the minister responsible for the Niagara region aware of this incredible report, which suggests that we may be on the verge of seeing Lake Ontario become a liquid Love Canal?

Hon. Mr. Welch: Mr. Speaker, just for purposes of clarification, although I am the member for Brock, I have never considered myself accountable from any regional point of view. This government has the interests of the entire province at heart, and that is part of our overall concern.

Certainly, as a resident of the Niagara-on-the-Lake and St. Catharines area, I have for many years shared the concerns that have been expressed in this House by the member for St. Catharines (Mr. Bradley), the member for Niagara Falls (Mr. Kerrio), the member for Erie (Mr. Haggerty) and the member for Lincoln (Mr. Andrewes) with respect to water quality and environmental concerns as they are reflected in those studies.

I would point out that, having been home this past weekend, I was aware that the St. Catharines Standard purported to have access to some report. It is perhaps the report to which the deputy leader of the opposition has made reference. As a member of the government, because this has come up from time to time in this House, I am aware that the Minister of the Environment has indicated there was a fairly high-level study going on with representatives from both the American and Canadian sides and

that the results of this study would soon be made available.

It seems to me that the Minister of the Environment, in response to earlier questions, because there was purported to be a leak with respect to the contents of that report in one of the New York papers, did comment on it and indicated this report would be coming.

The people of Ontario generally and the people of regional Niagara in particular would be that much better served once we have the statement by the minister himself with respect to that. It is my understanding the minister does plan to make some statement with respect to this study, particularly as it relates to the safety of drinking water.

I share the deputy leader's concern about this, because we have all expressed some concerns. I would not be surprised if this report were to detail not only what the results are now but, perhaps more important, what remedial steps should be taken now to correct whatever the situation is. Our high priority of concern, which I am sure the member shares, will always be the quality and the safety of the drinking water.

Mr. Conway: Would the Deputy Premier and regional minister for Niagara not agree with me that this critique is far more valuable because it represents the unfettered judgements of two federal experts who worked on the study? In that respect, it is much more valuable than the sanitized version that is likely to appear tomorrow as a result of the new Mulroney gag order?

Mr. Speaker: Question, please.

Mr. Conway: Would it not be more useful to look very seriously at this critique, since it does not represent the laying-on of hands of the new federal Conservatives' gag order when it comes to the release of public information? These are two federal public servants, expert in their field, who have seen the sad and sorry situation in Lake Ontario and who have reported honestly about their findings—

Mr. Speaker: Order, please.

Mr. Conway: —and who are not subject to the gag order of Mr. Brian Mulroney and the new Conservative order in Ottawa.

2:10 p.m.

Hon. Mr. Welch: Are we not just a bit ahead of ourselves? If we are to have the benefit of the so-called objective study to which the deputy leader makes reference, would we not be better served by waiting until we actually have the study?

I would point out to the member, as the member for St. Catharines has no doubt shared with him, that the St. Catharines paper purported to have a fairly detailed account of a report yet to be made public. I think we are always much better served if we wait for reports to be made public. I assume it would be the report just as it has been tabled. I mildly resent any suggestion that the report would be "sanitized" or altered in any way.

We will have the benefit of the report and, as the deputy leader of the Liberal Party says, we will have the benefit of some objectivity as it reflects the situation as it is now and whatever else it talks about. That will talk about ambient water and that will talk about samples from the water as it is being tested at present. We will then want to know, and the people will want to know quite quickly, what relationship that has to the actual drinking water. There is nothing to which I attach higher priority.

Indeed, as the member for Brock, working with the regional municipality, I am sure at least one municipality that up to a couple of years ago was taking its water from the Niagara River, no longer has to do so in view of the construction work that was undertaken to change that situation.

We will all be in a much better position to make our own judgements on this once we have the benefit of the study. I think it is unfortunate to suggest that the people who have been working on this will have other than the complete study. There are many special interest groups, organizations and individuals that all share the same concern: that we clean up whatever is there and that we continue to ensure that the people of the regional municipality of Niagara and area, and others, have safe drinking water.

I have seen or heard nothing to suggest anything other than that we have water that is completely safe in so far as all known standards are concerned.

Mr. Rae: Mr. Speaker, is it the position today of the government of Ontario that the level of contamination in the Niagara River and in Lake Ontario is too high?

Hon. Mr. Welch: Mr. Speaker, in response to the supplementary question, it is my understanding the Minister of the Environment plans to deal with this subject tomorrow on the basis of the report, when we will have the benefit of all the information that is necessary to come to our own conclusions.

It is obvious there is work to be done with respect to this situation. We will at least be

placed in a position now of having the results of updated research done by some very capable people on what needs to be done and what steps have to be taken. The first concern of the Minister of the Environment was to satisfy himself—and I am sure he has done so, because he has made that statement in this House on more than one occasion within the last week or so—that there is no question about the safety of drinking water.

Mr. Bradley: Mr. Speaker, we have the unfettered and unfiltered report, which we all feel is of great value, and the comments on the editorial page of a newspaper which has never been all that enamoured of the opposition or opposed to the government and which says the following:

“The problem has been identified—time and again. All that’s needed is leadership and action. And all we get is foot-dragging from New York state authorities, an attitude of total indifference from Washington, cutbacks in pollution controls from Ottawa, Ontario Environment Minister Andy Brandt’s assurances that Lake Ontario water is safe, and bureaucratic backflips to water down the seriousness of the situation.”

In view of this report and in view of these comments, would the Deputy Premier not agree with me it is now time for the Premier (Mr. Davis) to call a high-level and immediate meeting with the Governor of New York state to ensure that this matter receives the very highest consideration at the earliest opportunity?

Hon. Mr. Welch: Mr. Speaker, my friend the member for St. Catharines would want to share with members of the House the entire contents of that editorial. Two or three paragraphs ahead of what he just read, the editorial writer in his fairness points out where the real trouble in regard to the Niagara River rests, that is, with the city of Niagara Falls, New York, in its inability to get that sewage treatment plant working.

That has been the source. I am speaking now about the editorial writer, who points out that for years he has been attempting to persuade his readers in Niagara Falls, New York, to put some pressure on their administration and the state government to get that matter cleared up. As we know, there is work being done. The member for Niagara Falls has been very persistent in drawing that to the attention of the authorities at meetings which I have attended.

Whatever the situation is now, it is there and it is going to be documented in this report which will be made public. The steps and the attitude of this government towards it will be made clear. I

would remind my friend the member for St. Catharines that the Premier indicated to the Governor before the present incumbent that he was anxious to have meetings to attach some priority to this cleanup work.

In summary, I think the editorial writer to whom the member made reference has included a lot of matters in that editorial which require some attention. I am quite satisfied that, under the leadership of the Minister of the Environment, this province, as always, will be prepared to exercise its responsibilities and do its share.

Mr. Conway: Mr. Speaker, my second question is for the Deputy Premier and the regional minister for Niagara concerning water quality in the Niagara River basin and in the lower Great Lakes. I cannot believe—

Mr. Speaker: Just place your question, please.

Mr. Conway: —that the Deputy Premier would not have walked into the editorial offices of the St. Catharines Standard to avail himself of a copy of this report, which is available.

Mr. Speaker: Question, please.

Mr. Conway: I will send a copy to the Deputy Premier, the minister for Niagara, at this time. This federal critique speaks to—

Mr. Speaker: Order. I point out that almost 13 minutes of question period have gone by and we have had only one question. Please place your question.

Mr. Conway: I accept your injunction, Mr. Speaker. These federal research scientists point out that this is the most serious environmental concern facing the people of Ontario today. They point out that not very much is being done about it.

Is the Deputy Premier, the regional minister for Niagara, aware that the critique says on page 7, “...it is clear that the whole Niagara River ecosystem is being contaminated with a large variety of man-made chemicals, some of which are known to be individually dangerous, and the combined effects of which are unknown”?

Is he furthermore aware—this is a very critical conclusion—that the federal research scientists who worked on this subject matter call for urgent action and say to the regional minister for Niagara and others in government, “It is inevitable that irreversible damage to the ecosystem will be done if action is not now taken”?

What specific undertakings is the Deputy Premier, the regional minister for Niagara, prepared to give to his constituents in Brock, and to the other four million southern Ontarians who

take their water from the lower Great Lakes, that this alarming report, which speaks to a cesspool that is Lake Ontario, is going to be creatively and vigorously responded to in the public interest?

Hon. Mr. Welch: Mr. Speaker, I think it is important to recognize that this problem was not discovered within the last 48 hours. A tremendous number of people have been involved. The official report that will be tabled tomorrow is the one I would prefer to read. Whatever it says, we will now have some objective information with respect to the condition of that body of water. We are talking about the ambient water, the contents and chemicals that are in that water, the sources and what all that may mean.

To talk about what that means as far as the drinking water is concerned, whatever the situation is, it is something that will have to be addressed on all the fronts, as the member for St. Catharines said; namely, by the governments of the state of New York, the United States of America, Canada and Ontario, and that is not to overlook the municipal responsibilities. We will have a document about which there can be little argument in so far as scientific accuracy is concerned. That should dictate what the action should be.

Mr. Conway: What specific undertakings is the Deputy Premier, the regional minister for Niagara, prepared to give the four million Ontarians who take their water from the lower Great Lakes in consideration of the report of these two federal scientists who say, "Contaminant loadings of the same order of magnitude as those experienced during the early 1970s, carried on for a time period 12 times longer, will produce devastating and irreversible effects in the Niagara River, Lake Ontario and probably further downstream"?

2:20 p.m.

Hon. Mr. Welch: The member for Brock will be solidly supportive of the initiatives undertaken and articulated by the Minister of the Environment, a member of a government of which the member for Brock is also a member. The highest priority will be attached at all times, as it has been, as it is and as it will continue to be, to assuring the people of the area I have the privilege to represent, and all those who look to this water supply for their water needs, that we will continue to ensure quality, safe water for the people who are served in that way.

Mr. Conway: In view of the fact these federal research scientists have clearly set out in their

critique that the situation in the Niagara River and in Lake Ontario is deteriorating rapidly and that something must be done, what specific undertakings is the Deputy Premier, the regional minister for Niagara, prepared to give?

As one first step, will he consider a commitment, if not to the entire province at least to the voters of Brock, that he will use his very considerable clout within the executive council to immediately secure funding for the herring gull egg monitoring program, a very critical and cost-effective environmental protection measure that was so insanely cut by his federal cousins in Ottawa two days ago?

Hon. Mr. Welch: Obviously this is a partisan House, and why would the official opposition not want to get in 24 hours ahead of the Minister of the Environment, who plans to discuss this very issue in a very rational and responsible way?

On the basis of what I would think would be a fairly good piece of investigative journalism on the part of Douglas Draper of the St. Catharines Standard, the member appears to have some documentation in advance of the official release.

The Minister of the Environment will have the unqualified support of the member for Brock and the Deputy Premier in seeking whatever he requires to discharge our responsibilities in this very important environmental matter, one to which I have a great commitment; and I repeat, the point being to ensure we continue to have a safe water supply for our people.

Mr. Rae: Mr. Speaker, in the absence of the Minister of the Environment, I want to go back to the Deputy Premier and tell him that the report, which we have and which has been quoted from, is entitled *A Layman's Guide to the Niagara River Toxic Committee's Report: The Canadian Position*. Apparently, it is an independent view by two Environment Canada scientists of the broader report that is being released tomorrow.

I gather the Deputy Premier was one of those who went to a hearing in Niagara Falls, New York, at one time and came back and said he himself was in a sense reborn on this issue and, "Not another drop of pollution will fall into the Niagara River." Can he explain why it is that since that visit not only has there been another drop, but indeed kilograms and tonnes of poison have poured into the Niagara River and into Lake Ontario without any effective action being taken by the government of Ontario?

Let us look at his own record and that of the government with respect to the past. Why has it taken so long? Why has the government been so asleep at the switch at a time when this ecological

disaster has been taking place right before its very eyes?

Hon. Mr. Welch: Mr. Speaker, I know the member for York South perhaps could not have a complete historical and factual picture with respect to this, because he was not a member of the House at that time. If I may be permitted to remind the honourable member, it was not a matter of being born again. I happen to live in Niagara-on-the-Lake; I am very proud of my residence there. There was a great deal of agitation at that time about a new discharge from the dump site, as the member for Niagara Falls and others know, and many of us went over to express some concerns about that new source of pollutants going into the river.

It was because of the work of very dedicated people on both sides of the river, such as members of Operation Clean, and other interventions and negotiations ultimately with that particular company that some arrangements were made. Part of the negotiations involved the Operation Clean people to satisfy themselves with respect to that discharge.

In the meantime, I say to the member, it was obvious that some kind of independent survey had to be done. I also point out that discharge was from the American side. We were dealing with another country. We were reminded that when we started dealing with another country, we had to deal through our national government. I am sure the member for York South would not discount that.

In fact, we were making quite clear what we thought as individual residents, as indeed did the then Minister of the Environment make clear what he thought, in terms of the environmental implications of this new discharge.

Now, as the member points out, we have some indication as to what all the points of discharge are along the Niagara River, and I will not be surprised if there are far more on the other side than there are on our side. We have some indication of what the results of that discharge have been and what the remedial steps are going to have to be. Let us get on with the job.

We can spend all the time talking about yesterday, but the important thing is what the situation is today; let us get on with making sure it does not persist to be the situation tomorrow.

Mr. Rae: If anybody speaks for yesterday, it is the Deputy Premier. I take nothing away from him in that regard; he is the spokesman for yesterday in this Legislature.

What I would like to ask him specifically has to do with the fact that Canada and Ontario—and

the laws of the province have been affected by this—signed the international Boundary Waters Treaty in 1909, which states quite clearly that there shall be no pollution on either side of the border. There is very clear language in that treaty that would suggest any injury resulting to any party is not to be tolerated.

What I cannot understand and what members of our party find difficult to understand is how this level and degree of pollution could have been carried on for so long without the government of Ontario pressing the government of Canada, and indeed the present government of Canada, to take every possible action at the international level, at the treaty level, at whatever level is necessary, to ensure that this kind of poisoning of Lake Ontario and of that entire ecosystem comes to an end.

Specifically, my question is this: Why has the government not taken that legal action which would finally give some teeth to all the mouthing of platitudes in here by the Deputy Premier, the Minister of the Environment and ministers of the Environment going back to time immemorial with respect to the pollution of Lake Ontario?

Hon. Mr. Welch: Let us be reasonable here. The member knows very well that this government has worked with the government of Canada, regardless of who happened to be forming the government of Canada, in making our points of view quite clear.

The member talked about the enforcement of international agreements. What has the Ontario government to do with the enforcement of international agreements? The member knows that has to be done through the government of Canada. Indeed, we have worked with successive ministers of the environment at the federal level. If the member says one must continue to work co-operatively to solve this, I agree.

I remind the member for York South that I live there, I am drinking that water and I am doing so on the assurance it is considered to be safe. It is one thing to talk about the raw water situation and another thing to talk about the treatment facilities there. The member knows what this government has done through the Ministry of the Environment to ensure adequate treatment in so far as the sewage is concerned.

To say we have done nothing is not only to ignore yesterday but also to be completely irresponsible as an elected person. Before saying we have done nothing, the leader of the third party should speak to the member just behind him. I am sorry, I should have included him in the concerns. The member for Welland-Thorold (Mr. Swart) knows very well what the regional

municipality and the government of Ontario have done with respect to treatment. I invite him to compare what we have done on our side with what has not been done on the other.

Mr. Kerrio: Mr. Speaker, I am sure the minister has been aware over the years of the pressure we have brought continually on every honourable member who has ever accepted the portfolio of Minister of the Environment. I have begged them and cajoled them and done everything in my power to get them to have our American friends monitor those very dangerous sites. This has never been done.

Mr. Speaker: Question, please.

Mr. Kerrio: I have grave concern that it has now reached the waterway, and we should have known long before now that this was going to take place. Is the minister not concerned that the federal government has taken one of the valuable tools in the studying of gulls' eggs—the thermometer from a doctor, if you will—to tell to what degree that contamination has reached our ecosystem? It has taken that tool from us. It is going away from the resolution of this problem.

Of 227 known chemicals, 57 are now detected at levels that should be removed. The Deputy Premier heard the Minister of the Environment suggest there have been capital moneys taken from his ministry. Will the Deputy Premier encourage the Minister of the Environment to put that capital back into the filtering of the water until such time as we do what is needed to be done in the overall picture, which is to clean up our environment? In the meantime, will he ask him whether he will not put that money back into carbon filters, anything of a kind that is going to do the job until we can clean up the waterways? It is obvious now that we are in very serious trouble.

2:30 p.m.

Hon. Mr. Welch: Mr. Speaker, I have just one or two observations. I have never viewed as a partisan issue the assurance of safe drinking water for the public of this province. Do we not all embrace that concern? I cannot see why we are attempting to do anything else in the discussion of the report. Whatever the report is, it is there and the facts will be there.

The member for Niagara Falls knows that the Minister of Health (Mr. Norton), when he was Minister of the Environment, put the Niagara River study team in place. Does the member not remember the discussions that preceded the development of that team? Does he not remem-

ber the work that was being done in this joint way to start understanding what the problems were?

The member for Niagara Falls knows about this. He should stand up here and take some credit for the money that was spent there. When the Ministry of the Environment went looking for places to spend money to further experiment with that type of treatment to which he makes reference, where did it go? The money went to regional Niagara and the city of Niagara Falls. That is something I am sure the member would like to share with other members of the House. It was very important to experiment with that type of treatment.

There is no lessening of the commitment. I have not spent any time trying to find fault with whoever has been in the government of Canada with respect to this matter. It is time we see the advantages of working together to clean up whatever has to be cleaned up and to assure the people of our area that there is no danger to our drinking water. I am sure the member would want to see that as the top priority as well.

Mr. Swart: Mr. Speaker, I am surprised the Deputy Premier raised the issue of what work the region has done with regard to pollution. It has no relationship whatsoever to the question we have before us under this report.

Mr. Speaker: Question, please.

Mr. Swart: I wonder whether the Deputy Premier realizes—because in his answer I was not sure—that this report we have before us is a confidential report. It is not part of the laundered report that is going to be released tomorrow at all.

The federal government is cutting back and we will not know the degree of pollution that exists in Lake Ontario in a few years. In view of this, would the minister be willing to ask that these two scientists be brought before a committee of this House to give a fuller explanation of what they have found? Then this province would know the exact situation, at least from the point of view of the scientists, regarding the pollution of the Niagara River and Lake Ontario.

Hon. Mr. Welch: Mr. Speaker, whatever is going to be released tomorrow, we will all be the wiser. I do not have the slightest idea whether something is confidential and not to be part of the package. I am only pointing out that the relevance with respect to the region of Niagara and other municipalities does have some reference to the question that was put to me by his leader. He stood in his place and suggested we were doing nothing on our side with respect to matters related to this.

We have made some substantial investments with respect to treatment and sewage disposal. As we move to clear up things that are within our jurisdiction, on our side of the river, with respect to dump sites and other matters, we will have a report that is going to be fairly credible. This is because of its authors and the information that is going to be contained in it. We are going to be able to do something about it.

Notwithstanding the so-called compliment about my expertness with respect to yesterday, one cannot dwell on yesterday. We can only look to yesterday for the lessons it teaches us to get on and correct the problems, to ensure we respond in a very positive way to our environmental concerns.

SEVERANCE PAY

Mr. Rae: Mr. Speaker, my question is to the Treasurer. I know the quest for delegates is endless, but I would like to ask him a question regarding the statement made by Mr. Wilson.

One item in his statement about the reform of unemployment insurance has received very little attention, but it has a very real impact on Ontario. In part of this so-called reform, severance pay, separation pay and termination pay—all those items together—are going to be considered earnings for the purposes of unemployment insurance.

That means workers laid off at Barrie—all workers affected by the plant closures which the Minister of Labour (Mr. Ramsay) announces so woefully in the House from time to time—will have to exhaust their severance pay before qualifying for unemployment insurance. Why has the Treasurer been so silent in protesting this mean-spirited and incredibly reactionary proposal by Mr. Wilson?

Hon. Mr. Grossman: Mr. Speaker, we are continuing to analyse the variety of statements and proposals put out by Mr. Wilson. The federal minister will be visiting each of the provincial finance ministers some time this month—we are just trying to co-ordinate the date for his visit with me—and at that time we will be discussing the various proposals and implications. Between now and then, I will do what I consider to be the prudent thing, which is to have staff analyse those various proposals so we can make a comprehensive response to him both when he is visiting us in December and when we meet with him some time in January.

Mr. Rae: I would not want the Treasurer to do anything too hasty with respect to this statement, but it is now the proposal of the government of

Canada. He has had much to say about other aspects of the document. Does the Treasurer agree with this proposal by the minister, which is going to deprive working people, particularly older workers in Ontario, of roughly \$25 million a year, according to government of Canada figures?

Hon. Mr. Grossman: It is a lot more complex and has a lot more implications than a simplistic analysis such as is suggested by the one the honourable member proposes. I think it is appropriate that we respond to it in a co-ordinated way, and in that light there are discussions between staffs. My colleague the Minister of Labour has already raised it with his counterparts in Ottawa together with Mr. Wilson's office. My staff and I have done the same with Finance. I have talked to Mr. Wilson twice since the statement.

While the member might wish to have us mount an attack on various of its proposals now, two and a half weeks after the announcement, what he is missing, with respect, is that they are part of a comprehensive series of reforms that all have to be well understood before one begins to attack some of those suggestions.

Mr. Nixon: Mr. Speaker, since some of the matters that the Treasurer calls reforms are changes in opinion by the leader of the federal government from his commitments made before the election, does the Treasurer not believe it might be helpful when he approaches the government of Canada if he had a resolution from this House supporting our opposition to the changes, which fly in the face of previous commitments made by the Prime Minister? I refer to the whole matter of universality, which he considered to be a righteous commitment or something like that—

Mr. Bradley: A sacred trust.

Mr. Nixon: —a sacred trust, which now he considers to be something worthy of review.

Hon. Mr. Grossman: Mr. Speaker, I can only say that if the honourable member wants to raise that question, there are half a dozen or a dozen of his colleagues left in Ottawa, and they should be raising those questions in the House of Commons, not here.

Mr. Rae: When we passed severance pay legislation in this House, it was in recognition that the most important investment a worker has is his or her job and that the worker who is fired or severed deserves some kind of compensation for that. It is almost a form of compensation for having your job expropriated. It is very much

parallel to that, recognizing that it is the most important investment a worker is going to have.

Mr. Speaker: Question, please.

Mr. Rae: That investment is being taken away by the government of Canada. Workers are being told that they have to spend that investment before they can qualify for unemployment insurance. It is not that complicated.

Mr. Speaker: Question.

Mr. Rae: What position have the Treasurer and his colleague the Minister of Labour expressed to the government of Canada with respect to this incredibly reactionary, mean-spirited proposal, which almost amounts to the government of Canada going in and taking money right out of the pockets of older workers in Ontario?

Hon. Mr. Grossman: I think the member does make a good point, which is that those provisions not only were passed in this House but also were proposed by this government. We should not forget that, just so we understand where this government comes from on those issues.

Second, I did not say that I or this government did not share the member's concern; in fact, I said quite the opposite. I said we have already contacted our federal counterparts and discussed all of this with them in trying to formulate a response, which I will have an opportunity to give when the federal Minister of Finance comes here.

I want to be clear. The approach that the member is suggesting is one that would continue the kind of federal-provincial relationships we have had during the past 15 years, which essentially had governments fighting through newspapers and through epithets thrown at each other from a distance. I firmly believe that if we are to get through the next few years, we are going to require a particular degree of co-operation and consultation, and lobbing hand grenades on these issues two weeks after they are announced is no way to encourage that dialogue.

So notwithstanding the political convenience of standing up, using your epithets and attacking all of those proposals—

2:40 p.m.

Mr. Rae: That is better. I prefer that.

Mr. Speaker: Order.

Hon. Mr. Grossman: —I want to say clearly that this government associates itself and, prior to this question and the newspaper article which kicked this off, has already shared that very concern and intends to pursue it further, not

through the media but at the appropriate negotiating table.

Mr. Conway: A new question, Mr. Speaker, to the—

Mr. Speaker: Order.

Mr. Conway: I believe I was recognized.

Mr. Speaker: But the Minister of Labour is rising on a point of something.

VISITOR

Hon. Mr. Ramsay: On a point of privilege, Mr. Speaker: I would like to draw to the attention of the House today the presence in the members' gallery of the Honourable Michael Starr, a former member of the federal government and past chairman of the Workers' Compensation Board. We are pleased to have him visit.

ALGONQUIN COLLEGE

Mr. Conway: Mr. Speaker, a question to the Minister of Colleges and Universities (Miss Stephenson): In recent days has the minister had the opportunity to examine personally the first part of the Provincial Auditor's report on Algonquin College? Specifically, could the minister share with the Ottawa-Carleton community her feelings and personal reactions to this report, which details a sad and sorry tale of corruption, criminality, incompetence and stupidity, which details failures in the ministry and at the college level?

What does the ministry think about this report which, among other things, indicates that Algonquin College was probably done out of \$500,000 in fees owing because of the conflict of interest that so happily and for such a long period of time has been engaged in by one of the college's most prominent administrators—someone whose conduct was the subject of ongoing concern for many months and years?

Hon. Miss Stephenson: Mr. Speaker, I was about to rise, and the House leader is not here, to ask permission of the House to revert to statements because I have a statement to make on this subject.

Mr. Speaker: If we have unanimous consent of the House, could we stop the clock and—

Mr. Conway: Mr. Speaker, I cannot give unanimous consent because I—

Mr. Speaker: All right. The minister will answer the question then, please.

Hon. Miss Stephenson: Mr. Speaker, in response to the question, I will read the statement.

Mr. Speaker: No, you cannot.

Hon. Miss Stephenson: Why not?

Mr. Speaker: You are not allowed to do that, Minister, you have to answer the question.

Hon. Miss Stephenson: I do have a full response. If the honourable member would simply allow me to make the statement, he would get the information he is requesting.

Mr. Speaker: We did not have unanimous consent so I will have to ask the minister to reply to the question.

Mr. Conway: I am prepared—

Mr. Speaker: Order. If the minister is unable to answer the question, she does not have to, of course.

Hon. Miss Stephenson: It is difficult to summarize the kinds of questions which the honourable member put. There is a reasonably full explanation of the entire situation and my response to the auditor's report in the statement, which I was about to ask permission to give. If you are saying I cannot give it, then may I ask that I be permitted to give it tomorrow?

Mr. Rae: Mr. Speaker, on a point of order: I have a hunch that if you ask that question again, you might not hear a "No."

Mr. Speaker: This is the very thing we were talking about in procedural affairs the other day. If we are going to do anything in a meaningful sort of way, I am not about to change my mind every two and a half minutes.

Mr. Conway: Exactly. Let us proceed, because I had to promise to give vital organs to get the majority Tories on that public accounts committee to investigate this God-awful mess. I want to know from this minister, who stood behind that obstructionist majority in public accounts, what she thinks about this damning indictment of the failures of her government and Council of Regents that led to the misappropriation of millions of public dollars at that national-capital community college. She can give that answer in summary.

Hon. Miss Stephenson: I shall be pleased to provide all that information tomorrow in the statement which I will give the House.

Mr. Conway: I have a final supplementary—

Mr. Speaker: Order. Will the honourable member resume his seat?

Mr. Rae: Mr. Speaker, I have a supplementary question.

Mr. Speaker: Final supplementary.

Mr. Rae: Can the minister explain why this pattern of conduct was allowed to take place over such a period of time without her making a statement in this Legislature and without there being any apparent awareness on the part of the ministry itself of what was going on? Why in heaven's name did it take so long for this kind of wrongdoing to be discovered?

Hon. Miss Stephenson: Mr. Speaker, the appropriate reconciliation of information occurred over a relatively short period of time, and I think appropriate procedures were followed in consideration of the budgetary activity that takes place within all the colleges and within the ministry.

ALLEGATIONS OF HARASSMENT

Mr. Mackenzie: Mr. Speaker, I have a question for the Minister of Labour. Would the minister inform the House what steps he is taking to stop the obvious harassment of members of the United Steelworkers of America at Radio Shack in Barrie?

Hon. Mr. Ramsay: Mr. Speaker, that matter is before the Ontario Labour Relations Board and it would not be appropriate for me to comment at this time.

Mr. Mackenzie: The minister will be aware, I am sure, that the picket line in this latter strike at Radio Shack was much more restrained and peaceful than the one during the previous bitter strike there a couple of years ago, yet criminal charges and firings are continuing. Five people have been fired. The day the settlement was signed by the union, the union was notified that five people had been fired, including one of the key members of the unit. Since then, two have been suspended for a month. One more has been given a week's suspension, and there have been 33 criminal charges laid in that situation.

Surely the minister cannot hide behind the labour relations board when there is this continuing harassment of workers at that plant. Is this the way they are to be treated? Is there no action he can take to stop this harassment of workers?

Hon. Mr. Ramsay: There was a problem with this company a number of months ago. The problem was addressed by the Ontario Labour Relations Board and I thought it was addressed in an appropriate manner. They are again before the OLRB, which is the body set up to deal with questions of this nature.

As I have suggested privately to the honourable member, whose concern I know is genuine, he should let the Ontario Labour Relations Board address these problems and then the ministry will

look at the broad basis, not only in respect to Radio Shack but also in respect to other circumstances of a similar nature. As far as Radio Shack is concerned, that matter belongs before the OLRB.

DEVELOPMENTALLY HANDICAPPED

Mr. Riddell: Mr. Speaker, I have a question for the Minister of Education. The minister is no doubt aware that the developmentally handicapped people of this province who were able to make their voices heard and understood walked out of class last week in protest against her ministry's proposal to terminate the secondary school program at the Robarts School, London.

Despite the fact that a study committee has been established to look at alternative proposals—a committee, I might say, which is heavily weighted with ministry personnel who are definitely in favour of terminating the program and who feel that is a *fait accompli*—what personal commitment is the minister prepared to give to the students at the Robarts School who have said they do not want to go to Milton under any circumstances, who are going to leave the school rather than leave the family circle or are going to knock on the doors of the local school board requesting special education?

Why does this government take the attitude that the developmentally handicapped people of this province do not have equal rights or a just place in our society?

Hon. Miss Stephenson: Mr. Speaker, that is the most ludicrous idiocy I have heard in this House for some time.

Mr. Riddell: Look at what the minister has done to developmentally handicapped people.

Mr. Speaker: Order.

Hon. Miss Stephenson: The member is factually incorrect. There has been—

2:50 p.m.

Mr. Riddell: What has the minister done to the mentally retarded people?

Mr. Speaker: Order.

Hon. Miss Stephenson: Does the member want to hear the answer or not?

An hon. member: No, he does not.

Hon. Miss Stephenson: Okay. He does not want to hear an answer.

Mr. Riddell: Now what is the minister doing to the people who are deaf?

Mr. Nixon: Would the minister not say that she is being slightly provocative?

Mr. Speaker: Order.

Hon. Miss Stephenson: The member knows full well, because I have communicated with him both verbally and by letter, that there is real concern about the maintenance of the viability of the secondary school program for students at the Robarts School in London. Because of that concern, we are trying to find a way to provide the appropriate secondary school program, appropriate in terms of scope and breadth.

We do not want to limit the secondary school program for those students at the Robarts School. If we have only 30 students, it will undoubtedly limit very dramatically the range of programs that can be offered to those students. Therefore, we have asked that there be an examination of alternatives—

Mr. Elston: Why are you making it difficult for new students to get access?

Hon. Miss Stephenson: Will my friend kindly listen for a minute?

Mr. Speaker: Order.

Mr. Elston: I want the minister to tell me why it is so hard to get in there.

Mr. Speaker: Order.

Hon. Miss Stephenson: We have asked for them to look at the alternatives that might be available in terms of providing the appropriate secondary school program. One of the suggestions was that some of them might choose to go to the Ernest C. Drury School at Milton. That is not a *fait accompli*, nor has it ever been a *fait accompli* and it will not be until the study group has reported.

The study group is weighted with people who are public servants in Ontario but not necessarily members of the ministry staff. It is weighted with people who have pedagogical experience in teaching those handicapped students and in teaching the students who do deserve real consideration in this circumstance. The parents are also represented on that committee. When that committee has made its final report, that report will be considered very seriously before any action is proposed.

Mr. Riddell: If the minister thinks the latter part of my first question was ludicrous, I simply ask her to take a look at the mentally retarded people who have been put out of their institutions and homes and who are now walking the streets wondering where their next slice of bread is going to come from and where the next roof over their head is going to be.

The minister should refer to some of the articles that have been written on this subject.

Now the government is attacking the deaf students.

Mr. Speaker: Question, please.

Mr. Riddell: Will the minister personally get involved and review the excellent alternative proposals that have been presented to the study committee? Will she assure this House that the very excellent recommendations made to that committee will be made public?

Hon. Miss Stephenson: I have no idea at this point what the recommendations are, and I will certainly consider making them public. However, I ask the member to reconsider his statement that this government has been insensitive to the needs of the mentally retarded or to the needs of the handicapped.

The obvious answer is that the member has not read the very excellent response to the movement of many of those mentally retarded people out into the community in much more appropriate circumstances than those that would have prevailed for them in a large institution. Most certainly it is the intention, not just of individual parents but also of the Ontario Association for the Mentally Retarded and of many others very much concerned about those young people, to have them integrated fully within the community.

As a matter of fact, there is a very interesting article in this week's newspaper about the integration of students of that sort into the full program in the elementary and secondary schools. I hope the member is sensitive to that feeling and is understanding of that direction, which is very much the direction of those individuals who are parents of children with very severe handicaps. Those sensitivities are very much a part of our thinking, and all matters that are raised before that committee will be considered seriously before a recommendation is made.

SPADINA EXPRESSWAY

Mr. McClellan: Mr. Speaker, in the absence of the Minister of Transportation and Communications (Mr. Snow), I will ask the Attorney General a question about the fate of the transfer of the Spadina lands from Metropolitan Toronto to the province and the subsequent grant of a three-foot strip to the city of Toronto.

The Attorney General will remember I asked this question in October, and he helped me get an answer from the Minister of Transportation and Communications, which read in part as follows: "The surveys have been completed"—

Interjections.

Mr. Speaker: Order.

Mr. McClellan: To recapitulate, the minister said: "The surveys have been completed, the deeds are being prepared and are being reviewed by the ministry." The Minister of Transportation and Communications said, "I am given to understand that the completion of the transfers will take place before the end of 1984."

That being the case, how does the Attorney General explain a motion that is before city council today which reads, "Whereas provincial officials have advised the final title transfer and leaseback for the Spadina expressway lands is not scheduled to be completed before the end of December 1984..."?

Can the Attorney General tell me who is telling the truth? Is the Minister of Transportation and Communications telling the truth when he says it will be completed before the end of 1984 or are the provincial officials who are talking to the city of Toronto telling the truth when they tell the city of Toronto it will not be completed before the end of December 1984?

Hon. Mr. McMurtry: I do not know if you can assist me, Mr. Speaker, but there seems to be a little intrigue going on across the aisle. The member for Bellwoods always waits until the Minister of Transportation and Communications is away to ask his question. He is trying to relegate me to delivering his correspondence and his questions back and forth.

Why does he not ask the Minister of Transportation and Communications? I have made my position very clear. My views were known long before I was honoured by election to this Legislature. I am satisfied that the government of Ontario and the next Premier will honour the commitment of this government and this Premier (Mr. Davis) in relation to not supporting any extension of the expressway south of Eglinton. I am sure I am reflecting the Minister of Transportation and Communication's views in this regard, and I am sure he will be here this week to hear from the member if he would like to pursue the question.

Mr. McClellan: I would love to ask him the question except that he is out campaigning for one of the Attorney General's colleagues, one of the other contenders who does not appear to support the Spadina policy.

Mr. Speaker: Question, please.

Mr. McClellan: Since the Attorney General said he was a notorious champion of the Stop Spadina movement, as is his seemingly equally ineffectual colleague the member for St.

Andrew-St. Patrick (Mr. Grossman), may I ask either of those honourable worthies from the city of Toronto if he would do us the favour of finding out whether the Minister of Transportation and Communications was accurate when he said we will have the transfers completed by the end of December 1984, which means legislation before this House prior to the Christmas recess that would deed the title to the three-foot strip to the city of Toronto?

On the other hand, do the provincial officials who are telling the city of Toronto this will not happen in 1984 have the accurate inside track? Perhaps the Attorney General, the member for St. Andrew-St. Patrick, the member for St. George (Ms. Fish) or one of the members from the city of Toronto who have shed such copious crocodile tears on this issue ever since 1971 will do us all a favour and try to get an accurate version of what is going to happen next month.

Hon. Mr. McMurtry: How can the member ask me to reflect on the accuracy of the Minister of Transportation and Communications, particularly when he is going to be with me on the second ballot?

Mr. Conway: Mr. Speaker, that will make a more charming couple than the member for Renfrew South (Mr. Yakabuski) and the member for St. Andrew-St. Patrick. Can the Attorney General, as a very senior and influential member of the executive council long known for close, personal confidence with the first minister, and as regional minister for middle Toronto, indicate whether it is his understanding that this transfer will be completed before the premiership of the member for Brampton (Mr. Davis) is at an end some two and a half months hence?

3 p.m.

Hon. Mr. McMurtry: I will convey the honourable member's concern to the Minister of Transportation and Communications. I assume from the correspondence read by the member for Bellwoods that he has given this commitment, but I will again communicate the concerns of the members opposite.

AVAILABILITY OF ELECTRICAL POWER

Mr. Nixon: Mr. Speaker, I have a question of the Minister of Energy concerning the threat from Ontario Hydro about electric power black-outs without notice in southwestern Ontario. The minister will be aware of this threat since I sent him the newspaper clipping concerning it.

I wonder if he would respond to the statement made by the employees of Ontario Hydro that electrical power outages without warning for 20

or 30 minutes are in the cards for certain communities in southwestern Ontario because there is no transmission line to bring the power from the newly established atomic energy generators in the Bruce Peninsula.

Hon. Mr. Andrewes: Mr. Speaker, the honourable member did indeed give me notice of his question and provided me with a copy of an excerpt from the Brantford Expositor of Thursday, November 15.

I think the statements made by the staff of Ontario Hydro related to something known as the load rejection system that has been put in place on the Bruce transmission line. This system is to provide for extra utilization of that line, but also to put in place a safety factor that would allow the load on the line to be rejected if some precaution were necessary.

I think the member is correct in assuming Ontario Hydro has made these statements to caution its customers that periodic interruptions may occur. The reference is to a half-hour interruption possibly yearly. It also points out the need for increased transmission facilities out of the Bruce, which is a matter that is currently being considered by the Ministry of the Environment, our ministry and Ontario Hydro in a joint attempt to address this very serious issue.

Mr. Nixon: Can the minister indicate whether these threats are part of a program by Ontario Hydro to scare the municipalities into removing their objections to the placement of the power lines, which I suppose we might as well say has held up the decision for over a decade?

Does the minister not see Ontario Hydro is facing the same problems it has faced for the last decade in getting an approved line for bringing the power out of the Bruce and that undoubtedly it is going to have bottled-up power there unless it moves forward with the kind of program that is acceptable?

What is the minister going to do about the possibility of that bottled-up power? We are paying hundreds of millions of dollars to generate the power, and it does not seem as if there will be any way the power can be utilized.

Hon. Mr. Andrewes: This is a multifaceted question. I will be selective in my answer, particularly with respect to the alleged threats made by the staff of Ontario Hydro.

In light of their responsibility to provide electrical service to communities in southwestern Ontario, I think the staff of Ontario Hydro are only providing a factual answer to questions raised about additional load and additional efforts being put in place to deliver that load. I

would not call these threats. I would simply say they are factual statements made about a load rejection system that is currently in place on the Bruce line.

Notwithstanding all of that, I think all the municipalities in southwestern Ontario that are relying on service out of Bruce and on the delivery of electrical energy from the grid want to be very conscious of the need for additional transmission facilities.

VISITORS

Hon. Mr. Wells: Mr. Speaker, I wonder if I might indicate that today we have in your gallery a delegation from the People's Republic of China which is visiting Ontario to discuss the establishment of a twinning agreement between Ontario and Jiangsu province in the People's Republic of China.

The five-member delegation is here on an eight-day visit, which is in return for a visit to China last summer by senior Ontario government officials. The groups will be meeting with executives in large corporations, government people both here and in Ottawa, and in a few minutes with the Premier (Mr. Davis).

I would like to introduce the delegation. First, the delegation head is Mr. Cai Qiu-ming, Deputy Secretary General of the Jiangsu provincial government, which is a position that approximates that of a cabinet minister in our government.

The Deputy Director of the Provincial State Planning and Economic Commission is Mr. Gu Ding-xiang. The Deputy Director, Provincial Foreign Affairs Bureau, which is responsible for state foreign policy implementation, is Su Gen-hua.

The chief of the friendly relations with foreign cities division of the Provincial Foreign Affairs Bureau is Mr. Zhang He-xian. The interpreter is Mr. Liu Jian-ping.

Mr. Nixon: Mr. Speaker, on a point of order: Under the rules of the House, can you determine from the minister whether his plan to twin with the named province in China is going to go forward? Can you use your good offices to see the twinning delegation is representative of all parties at the table?

Mr. Speaker: Let me assure all members I will be most happy to look into that possibility.

PETITION

OPERATING ENGINEERS LEGISLATION

Mr. Hennessy: Mr. Speaker, I have a petition to request additional time to prepare comments

on proposed revisions to the regulations of the Operating Engineers Act of Ontario, which reads as follows:

"The second draft of the proposed revisions were distributed for comment by interested parties on July 1, 1984. A covering letter requested comments by September 14, 1984. It was sent to the secretary, board of review. A period of two and a half months, especially during the prime vacation period, seriously hinders the objective review of the proposed revisions and producing constructive comments.

"Many operating engineers and most organizations, volunteer, technical and advisory, are not prepared for a task of this kind on short notice during the summer vacation months. In order to properly review and comment on these proposals, we ask that the commitment date be extended from September 14, 1984, to January 1, 1985."

The petition is signed by 78 people.

BUSINESS OF THE HOUSE

Hon. Mr. Wells: Mr. Speaker, on Friday I indicated an amendment to the business of the House to the effect that we would do third reading of Bill 77 tomorrow. That is now going to be third reading of Bill 77 one week from tomorrow, not tomorrow.

Mr. Wrye: Is that December 11?

Hon. Mr. Wells: Yes.

Mr. Wrye: That is two weeks from tomorrow.

Hon. Mr. Wells: All right, it is two weeks from tomorrow. That is what we agreed to. I am getting a little ahead of myself.

TABLING OF INFORMATION

Mr. Wildman: Mr. Speaker, I want to draw to your attention that written question 554 in my name was tabled in this House on November 2. As yet there has not been any response, even an interim one, from the ministry.

As you know, standing order 81(d) is quite explicit and states ministers will respond, at least in an interim way, within 14 days. Far more than 14 days have elapsed since the tabling of this written question as an inquiry of the ministry. I would ask you to use your good offices to ensure that the members of the executive council comply with the rules of the House.

3:10 p.m.

Mr. Speaker: I am sure the government House leader has taken note of your request and will act accordingly.

TELEVISION IN LEGISLATURE

Mr. Wildman: Mr. Speaker, I rise on a point of privilege. On behalf of members of the House, I would like you to look very carefully—I mean this sincerely and seriously—into the safety of having cameras in the gallery. There was a situation once before, and again today there was a slip.

I am very concerned about the safety of the young pages who sit below those cameras, and I wish something could be done. If no decision is to be made for televising the proceedings of this House adequately, at least something could be done to ensure that these temporary cameras are put up in such a way that they will not fall and hit someone down here.

Mr. Speaker: I think I had advised all members earlier that a safety chain had been installed in the gallery. All the equipment is supposed to be clipped to that chain prior to use. What happens, and it happened today—

Mr. Wildman: It is when they leave that is the problem.

Mr. Speaker: I think after they start taking the equipment apart, they lose control of it and it tumbles.

Mr. Martel: I have a real solution to that problem.

Mr. Speaker: I know you have.

Mr. Wrye: Mr. Speaker, I would like to speak to this. I think my friend has raised a good point. I have some knowledge of what happens with cameras. When the cameras come off, at some point the safety equipment is taken off.

I agree with my friend that we do require some kind of equipment, if nothing else is going to be done, to ensure the safety of those cameras after their removal. As you know, unpleasant as they are, there have been disruptions in this place. A cameraman often is hurrying to get his camera off the tripod—either to get down to the second floor or to move down the aisle—and the camera could slip. I would hate for us to say, after some kind of tragedy, we should have installed some further safety equipment.

I would ask quite seriously that you take my friend's suggestion, which I think was made very well. I think you should have a look over the Christmas period at whether some additional safety equipment can be installed.

Mr. Speaker: I did not mean I was going to preclude taking any action. We will take a further look to see what more can be done. I am just not aware of what needs to be done.

ANSWERS TO QUESTIONS IN ORDERS
AND NOTICES AND RESPONSES
TO PETITIONS

Hon. Mr. Wells: Mr. Speaker, before the orders of the day, I want to table the answers to questions 515, 523, 537, 550, 554, 556, 557, 558, 559, 560, 561, 562, 563, 564, 587, 588 and the interim answer to question 552, all of these standing in Orders and Notices. Also, I want to table responses to petitions presented to the Legislature, sessional papers 34, 35, 205, 231 and 234 [see Hansard for Friday, May 30].

ORDERS OF THE DAY

House in committee of supply.

ESTIMATES, OFFICE OF THE
DEPUTY PREMIER
(concluded)

Mr. Wrye: Mr. Chairman, I have had a chance to discuss a matter with the critic for the New Democratic Party and we are certainly in agreement. The member for St. Catharines (Mr. Bradley) has a matter he would like to raise and I believe the member for Beaches-Woodbine (Ms. Bryden) would also like to ask questions on it.

We would propose that in the last approximately one hour, with the agreement of the Deputy Premier, to limit our discussions to two areas—child care and battered women, including transition houses and the like. We simply do not feel we could do justice to three or four topics in that time.

If the Deputy Premier has replies ready for us, I would ask that they be sent to us in written form; otherwise, they could take 20 to 25 minutes out of the last hour and 10 minutes.

The Deputy Chairman: Is that agreed?

Ms. Bryden: I agree, Mr. Chairman.

If possible, we should confine today's hour and 10 minutes to two topics, battered wives and child care, but the member for St. Catharines wants to raise an item. Perhaps that could come first.

Mr. Bradley: Mr. Chairman, I want to thank the members for their indulgence. I recognize there is a predetermined list of items they want to discuss.

I want to ask the Minister responsible for Women's Issues a similar question to one I directed to the Provincial Secretary for Social Development (Mr. Dean) and that I communicated by letter to the Minister of Health (Mr. Norton). It concerns the possibility of having a women's detoxification centre implemented in the city of St. Catharines. I read an article in the

newspaper saying Kingston was looking for one as well, interestingly enough.

At present, as I know the minister is aware, we have a men's detox centre that is working very well and that I am pleased to see at Hotel Dieu Hospital. Alcoholism is not only a social problem, but also a health problem, which probably affects more people than we might anticipate. It appears a detox centre is by far the best way of handling it. Otherwise, we are putting people into hospital beds that cost a good deal of money, probably five or six times the amount a detox centre would cost.

I believe the cost for a woman to be in a detox centre is \$27.50 a day, as opposed to more than \$200 nowadays for a hospital bed. A person in that condition may well require some kind of semi-private or private accommodation if there are difficult circumstances.

What I am looking for from the minister is some support as a women's issue for those of us—and I think he probably hopes this will happen as well—who would like to see women's detox centres in this province, and I will be parochial enough to say in St. Catharines. I am told having men and women together in a detox centre simply does not work as well. Although I am sure he has already put on the pressure, I would like to enlist his support publicly for projects of this kind, specifically for one at the Hotel Dieu Hospital.

Hon. Mr. Welch: Mr. Chairman, I appreciate the fact this matter has been mentioned. My friend the member for St. Catharines will appreciate that there has been a fair amount of interest in this subject in our home area. Certainly, in consultation with the Ministry of Health, as an overall women's issue, we have indicated our hope that district health councils, which are charged with some responsibility in arranging their priorities on a district-by-district basis, will place this type of program very high on their list of priorities, as is the case in our home area. The district health council that serves both St. Catharines and Brock has done that.

The member will know it is simply a case of making some final decisions. There has been what I would describe as some interest on the part of other agencies with respect to this work. I suppose one could say there has been an atmosphere of friendly competition as to location and type of program. I am quite attracted to the splendid work that has been done at Hotel Dieu Hospital up to now and I expect this matter will be resolved very soon.

It seems to me it was a matter of two or three weeks ago when my friend raised this question in the House, which was about a week after I had asked the Minister of Health for an update. I agree and I have said to people who have expressed some interest in this, and it has gone on for a long time, that I am optimistic the matter will be resolved fairly soon.

3:20 p.m.

From a general provincial point of view, as a women's health issue, we would hope to see this type of facility available throughout the province to complement the splendid work that is being done in the St. Catharines-Niagara area. I am optimistic that we will soon see that particular work in place. As I say, as a matter of respecting the presentations made by some other organizations, the ministry wanted to satisfy itself that it had explored those other options as well.

Ms. Bryden: Mr. Chairman, I am very glad the member for St. Catharines raised this question. We have not spent very much time discussing health issues as they affect women, but that is an area the minister should be keeping a very close eye on because the services in many cases are not nearly adequate, nor are they even equal to the services available to the general public, which tend to be used, in the case of detoxification, more by males.

Is the minister aware that there is or was a centre in Toronto that is providing rehabilitation work for women alcoholics? It was made up of former women alcoholics and I believe it was the only one of its kind in the Toronto area. It was not an official provincial government detoxification centre, but it was providing a service for women who wanted assistance in rehabilitation beyond what they could obtain through the Addiction Research Foundation.

I saw a story in the paper about a month ago that the centre was going to run out of funds by the end of this year. If the minister does not know about it, I urge him to look into it; if he does know about it, I urge him to press for some additional funds to keep this centre going.

Hon. Mr. Welch: Mr. Chairman, I will certainly be pleased to follow up on the inquiry of the member with the Minister of Health. If it is the same organization I think it is, it has done splendid work.

Perhaps I can ask the member, is this the group that is looking for some capital money for an actual physical location, or is it simply looking for program money?

Ms. Bryden: My impression was that they operate a house where women alcoholics can get rehabilitation services.

Hon. Mr. Welch: So they actually have a physical location, a house or something?

Ms. Bryden: Yes.

Hon. Mr. Welch: I will be glad to follow up on that specific concern for the member.

Mr. Wrye: Mr. Chairman, if I might just kick things off on child care, I would like to remind the minister of what has taken place since he became minister and of all the speeches he has made. We have interministerial committees. We have a committee of the Legislature, the standing committee on social development, of which I am a member. We have a federal task force under way. We have a lot of talk going on.

Can the minister indicate whether anything specific has happened, since the last budget, that we ought to know about? Let us choose one field, subsidized child care. There is a waiting list for subsidized child care, and a number of communities to which my committee travelled indicated they are quite prepared to pick up their 20 per cent of the cost. The federal government is always quite prepared under the present Canada assistance plan provisions to pick up its 50 per cent of the cost. Has any new and additional provision been made for subsidized spaces since the budget—I am well aware of what the budget contained—and if not, why not?

Why are 1,100 subsidized spaces in Ottawa-Carleton going wanting? I understand this municipality has said: "We will pick up the cost. We cannot really afford it; but then again, the women cannot afford to be without decent child care."

What are we doing about that? What representations is the minister making to his colleagues in cabinet and, more specifically, to his colleague the Minister of Community and Social Services (Mr. Drea)? Child care is in crisis, and all the talk is not making it better at all. It may be necessary to talk before we act, but surely we could at least move ahead with some interim activities.

Hon. Mr. Welch: Mr. Chairman, I am very pleased that we are setting aside some time for this subject because, as I pointed out in my opening remarks and as I have certainly been reminded by my critics, the question of access to and affordability of child care is seen as a very important matter.

Let us put it in context. I have said on more than one occasion that economic issues are the important issues at the moment as far as women are concerned; that women will not enjoy social equality until they have economic equality and that as economic and employment-related issues

are so important, child care has to be seen in that context.

For far too long, child care has been seen strictly as a welfare issue. I think that is wrong. There is no question that there is some component of need and some significance to the programs that have to be addressed in that area, but I see this as a very important economic issue.

To put things in context, as the members of the committee will know, after extensive consultation both inside and outside government, including a survey of what we would call public perceptions, there is no doubt, as we have already indicated, that child care is seen as a priority issue facing women today. As a result, a number of activities are under way to provide both short-term and long-term solutions to the existing child care dilemma.

First, I remind the members of the committee that the speech from the throne announced a review of the accessibility and quality of child care. That review, now under way, is internal to government and involves, as I have already pointed out, 12 ministries in addition to the Ontario women's directorate. I expect some interim recommendations before the end of the year.

Second, as I also pointed out, at the meeting of the federal, provincial and territorial ministers responsible for the status of women in May 1984, it was agreed in principle to initiate a federal-provincial working group on child care to focus on the financing of child care. I have pointed out to the members of the committee that the first meeting of that group was Friday of last week in Toronto. I am expecting to have its report and to be able to share it with other ministers when we have our next ministerial meeting in May 1985.

At the conclusion of the meeting in Niagara-on-the-Lake, the then minister responsible for the status of women with the government of Canada announced the creation of a four-member task force to be headed by Dr. Katie Cook. It was to study the issue of child care and report back to her by the end of the year. I have not had a chance to get an update from the new minister with respect to that. I have no reason to believe that report will not be ready by then, but I have not had a revised timetable statement since the federal election.

Then, as my friend mentioned, the provincial budget dated May 16, 1984, provided nearly \$5 million for an additional 1,500 full-time subsidized spaces to assist the municipalities with waiting lists of eligible families.

Mr. Wrye: That was all informal care, was it not?

Hon. Mr. Welch: As far as I know, yes. However, whatever the setting, it was in the area of subsidization, which I felt was the interest of my friend.

Then, as announced by the Minister of Community and Social Services on May 28, 1984, the province was to become involved in the development of new rural child care resource centres to provide support and information to parents and informal care providers.

In addition, the province was to provide assistance in the development of seven new work place child care centres in selected areas across the province as well as taking steps to encourage employers to consider offering their employees assistance with their child care needs.

Finally, as my friend mentioned, the standing committee on social development held hearings throughout the month of September on the Day Nurseries Act. I understand that report is in the process of preparation and publication. It will obviously have some further and helpful information for us.

3:30 p.m.

Having said that, just to put it in that context, I point out it is necessary that we do not create the impression that this problem has to be restudied. I think it has been studied to death. I think we have lots of information around. I made it quite clear to the internal committee—that is the committee internal to government—that there was no need to have all kinds of extensive hearings again. All this information is available to us; we have to find some way to sift through all this material and get on with it.

There were two or three things about which I felt very strongly. I shared those when I spoke to the federal-provincial ministers in Niagara-on-the-Lake on May 30 and set out the general ramifications of the study. Those were that we change this from being simply a welfare issue and see it instead as the economic and employment-related issue it is; that we seek some new partnerships in this matter and recognize there are a lot of possible new arrangements into which we could enter, including taking a look at the expansion of work-place child care.

In seeking those new partnerships, we should get the focus away from it being strictly the government's problem. We should see it as an opportunity for leadership from the government and we should work in communities, many of which are prepared to enter into some special arrangements to meet this need.

I would hope that in this general way honourable members could see some evidence of the importance which the Minister responsible for Women's Issues attaches to it, keeping in mind that the actual delivery of this program at the moment rests with the Ministry of Community and Social Services.

Mr. Wrye: Mr. Chairman, I would pick up on the minister's comments by having him review pages 18 and 19 of the highlights of the government's activities this year. They are very thin. I am having difficulty going through this issue and not discussing what is in our report, which is not out yet. I see my friend the member for High Park-Swansea (Mr. Shymko) is here. Let me deal with the work-place day care issue; I am trying to remember our report and I am sure my friend will help me.

As I understand it, the government set aside \$350,000 for capital improvements for work-place day care, but that is not my main concern. The Deputy Premier talks about work-place day care, but when are we going to get it at Queen's Park? What is going on? I know he has had another study—I believe his own directorate just provided a report—and it seems to me this is ample evidence of the foot-dragging of this government. It has had pressure from all three parties, from individual members in all three caucuses, almost since the day I got to this place. There have been surveys, certainly by my caucus and I believe by some researchers in the New Democratic Party caucus. The minister has had work done by his own directorate, yet we cannot even get off the dime on that issue and get work-place day care into place at Queen's Park.

I know we would be accused of being elitist if we put in work-place day care, and the chairman certainly would not want us to be accused of being elitist, but one of the important aspects of putting in work-place day care is surely to free up other day care spaces in child-care-starved Metropolitan Toronto.

I would have hoped the minister would have addressed some of the numerous issues I raised in my remarks. I did not make funding the major issue, because funding will be something governments will work out somewhere down the road. What are the priorities of this government and what are the minister's priorities? He has looked at this matter very closely and has spoken about it enough. What areas can we attack immediately? Surely we can do more than \$4.8 million for 1,500 additional informal spaces. Perhaps that would be a good issue for him to comment on as well.

How does this minister feel about informal versus formal child care spaces? What kinds of representations has he had from various women's groups? Most of them have told us they are not very happy with glorified baby-sitting, that they would want an expansion of the formal day care network, whether it is the large group centres or private home care.

What is happening with the Queen's Park work-place centre? When are we going to have it? How large is it going to be? How many spaces is it going to free up in other day care and child care centres in Metro Toronto and environs, from wherever employees in this building will be able to remove their children to bring them down here? How many new day care spaces is it going to provide?

Hon. Mr. Welch: Mr. Chairman, let me attempt to speak to all these questions, particularly on the work-place situation. It is very important to indicate we want to assume some position of leadership with respect to this.

I was encouraged to read the other day that Ontario Hydro was setting aside resources to inaugurate such a program in its building. Before that time I was personally encouraging some active consideration of something here in Queen's Park. I felt we might have the example of the Hydro situation, which would be closer to here, and we might be wise to think of centres such as Oshawa and Kingston, which as members know have received new facilities and where a number of employees have just moved in. That is where we are now looking from the standpoint of seeing whether we can introduce this in a practical way. I am hoping that before very long I will have some reports on the practicality of such facilities at those two centres.

I was encouraged some months ago when I was in Ottawa and actually went with the then minister responsible for the status of women and saw the child care operations in the East Block. I thought they were working very well. If we could have a few examples of that as far as we are concerned as an employer, it would be that much more effective, once again, in talking to the private sector.

I do not think we should lose sight of the fact, and I make reference to the statement of the Minister of Community and Social Services (Mr. Drea) in this regard, that at the moment 90,000 children in Ontario are enrolled in licensed day care spaces in more than 1,900 centres. We should get some perspective on this. In partnership with municipalities and with cost-sharing assistance from the federal government through

the Canada assistance plan, we are going to be spending \$115 million on day care in 1984-85.

During the past two years the government has also provided funding through the day care initiatives program to supplement the number of licensed spaces available. I remind members of the committee that under this program we provide capital and operating startup dollars for more than 100 new nonprofit day care centres serving primarily full-fee-paying parents, and we have provided funds for expanding approximately 100 centres. In all, through this day care initiatives program, the government of Ontario provided funds for more than 4,000 new full-time or part-time licensed spaces, funded 18 new private-home day care agencies and provided expansion money to 13 existing agencies.

No one is attempting to ignore the fact that additional child care resources and programs are needed. Indeed, in response to that demand the Ministry of Community and Social Services is working to encourage and support the development of a flexible—I think this goes to the point to which the member makes reference—innovative child care system, a system designed to ensure Ontario families have available to them a broader range of child care options.

At that time, in the latter part of May, through the Minister of Community and Social Services, we announced an additional \$4.8 million for regular child care and \$1.2 million for special child care support. That was to assist in those programs where women were taking training to get themselves off dependency on social welfare.

3:40 p.m.

Just to respond to the other question, our major thrusts with these funds were to provide more licensed subsidized spaces—that is what that money was earmarked to do—and additional regular full-fee licensed spaces to develop new rural child care resource centres.

Other aims were to provide support to parents and informal day care providers, to expand child care projects developed under the employment support initiatives program to which I was just referring and to expand our support for work-place day care centres.

The member asked me if I had any preference. I approach all questions from this point of view: I am concerned about accessibility and I am concerned about affordability. This carries with it the assumption that we have facilities and programs that are considered to be up to proper standards. I am interested in how we can meet all those objectives in a combination of options.

I also speak as the father of one who graduated in early childhood education from one of our community colleges. I know the very low salaries they make and the necessity of raising their economic status. At the same time one must consider how it is done within the context of affordability and the various combinations of things that are necessary.

As to the member's question, I do not know whether he has any preconceived idea. I suppose it might vary depending on the setting; rural as compared with the more intense urban setting and so on. As long as we are satisfying ourselves with respect to accessibility, affordability and proper standards, then let us sit down and find how we can accomplish these things. I said this to the interministerial committee and we are saying it on a federal-provincial basis. The cost-sharing involved is the reason it has had to be federal-provincial up to now.

Mr. Wrye: I would like to ask one last question before yielding to my friend. One thing that bothered all members in the committee was that informal arrangements do not always work out. I was quite struck by our visit to Thunder Bay and the number of witnesses who came forward to talk about the informal arrangements they had made in one way or another, even through Manpower Canada. They described how totally inadequate they were. I and my caucus certainly worry about inadequate standards. It is fine having affordable and accessible day care but if we throw away the standards in order to get that, it seems to me we have nothing. It could be very dangerous child care.

My last very brief question concerns a matter the minister raised about one of his daughters. What in heaven's name are we doing with those awful salaries? The salaries for child care workers are really disgraceful. That is the only way to describe them. It must be a labour of love because it could not be for any other reason. We have very experienced people working for near poverty-level wages.

There are people with six, seven or eight years' experience, even in the best centres as I am sure the minister knows, who are still earning \$17,000, \$18,000 or \$19,000 a year. That is not big money in today's world, particularly for somebody with a good education. I suppose one expects a person with an education to start out fairly low and work one's way up, but the ladder in our child care facilities is very short. The top of the ladder is still very low. It does not allow people to avail themselves of many of society's

luxury items—even, in some cases, of society's necessities.

I think that is something this government can be moving on today without all of these reports. Surely some method can be found to improve the wage scale of these well-qualified, dedicated individuals who are working for poor wages.

My concern, and I am sure the Deputy Premier would share it, is if we do not do something we risk losing these people to other fields. If children are our most precious product, then we ought to be recognizing this very excellent cream we have. They are dealing on a day-to-day basis with very young children while the mothers are out earning money, either to move the family forward or to make ends meet in order to keep it together.

They are leaving these children with these very highly qualified individuals and I fear we are risking losing them. In fact, we already are. Our committee was given mountains of evidence of high staff turnover simply because of inadequate wages. They like the job, but at some point their enthusiasm must be matched by something in the pocketbook. I just wonder what the minister is doing to help.

Hon. Mr. Welch: I can hardly wait for Hansard; I will take the remarks of the honourable member home along with my remarks.

As I have mentioned, I kid the member not, I think the pay scale for these very important workers is most unfortunate. I have talked about this to people and they say, "Well, of course, as you start adding this regulation and that regulation and you increase the cost of this, how are you being consistent with this whole business of affordability?" I say: "Look, you cannot make the argument with me that you are expecting a certain group in society to carry on at this type of wage simply to make this function. You will have to find other ways than to ride on the economic development of the people who have prepared themselves to do this work."

Our children are very important human resources, and these are people who have spent two years if not more at community colleges to prepare themselves for this important work. They deserve a proper wage.

You will have no trouble with this minister on that subject. I will make sure the federal task force people and our internal review place that very high on the agenda as we think about what these new arrangements should be.

Just before the member for Beaches-Woodbine (Mr. Bryden) shares her comments with us, if I heard the member correctly he made some

reference to a need in the Ottawa-Carleton area for 11,000 spaces. That really should be about 1,000 or 1,100 spaces. Ottawa did receive some additional subsidized spaces as a result of the increase in the budget that was provided for in May.

Ms. Bryden: Mr. Chairman, I was very glad to hear the minister say he recognizes child care should not be a welfare issue, that it should presumably be put on to some other method of financing. In my opinion it should be on a tax-base system similar to the system for financing education from the age of five.

The question is what he is doing about getting it switched from the welfare system to some other base that would be fair and that would provide the kind of funding needed? He agrees the wages paid to child care workers are disgraceful. I understand they average about \$10,000 to \$11,000 even in the city of Toronto, and they are less in many other areas.

To raise those wages to a suitable level for people with two years to three years early childhood education training in community colleges or with university degrees would require real money. The question is where the money would come from.

Again, it is a question of asking the women of Ontario to subsidize day care, which should come to them as a right if we are going to have equal opportunities in employment. That money should come out of the consolidated revenue fund.

The minister could do something about it right away if a supplementary estimate were put through to adopt the \$7 per space per day amount requested by the Ontario Coalition for Better Daycare as a supplement to the present funding of day care through the welfare system. That \$7 was planned mainly to raise the wages of the day care workers.

3:50 p.m.

If we do not raise the wages, we are going to have a great deal of turnover. The people who are giving the care now are very dedicated; they are very well trained and we are fortunate we do have those people in the field, but they can only go on subsisting on \$10,000 to \$11,000 for a short period and then they have to move on to more remunerative work.

When that \$7 was suggested two years ago there was no response from the government indicating it might be put in. Finally, after considerable agitation, the social services department of Metropolitan Toronto did manage to get

the municipality to put in \$3 million extra for day care salaries over a three-year period.

Does the minister know what that will do to the salaries? It will give about \$1,000 extra to all the day care workers in Toronto. Instead of \$10,000 or \$11,000, their average pay could go up to \$12,000. If anybody has tried to live on \$12,000 in the city of Toronto, he or she will know it is completely inadequate and is really below the poverty line for anybody with any dependants.

Instead of relying on surveys, as in the throne speech, or on task forces or further studies, this could be done right away. I do not think we can wait any longer for the children of this province to be provided with adequate day care if we are really going to work for employment equality for women and proper care for our children whose parents both have to go to work in many cases.

I remind the minister that Judge Abella's report put a very high priority on day care as part of the facilities needed to provide equal opportunity for both women and minority groups. That was part of her mandate. She recommended a national child care act, based on consultation with the provinces, territories and interest groups, in order to ensure consistent standards and to take into account urban and rural needs and the special needs of children who are natives or members of minority groups or disabled.

This is a very fine objective, but we know it will take years to implement anything of this sort. I am surprised the minister is placing his faith in a federal-provincial conference to produce real action in the day care field in the immediate short term. We need it right now and that is what we and the Children's Day Care Coalition, as well as Action Day Care and many other organizations, are asking for at this time.

Judge Abella recognizes her proposal will take time. She says, "Until a universal system is available, child care should be available, at least for children whose parents are unable to care for them on a full-time basis and for children with special needs arising from a disability."

The minister keeps telling us statistics show the province is looking after 90,000 children in day care. There are only 51,000 fully licensed, full-time spaces in this province, so the other 40,000 are people who are probably getting a few hours of care at lunch hour or after school in school facilities. That does not answer the need for fully licensed, full-time day care for the 210,000 women in this province who are in the work force and who have children under six. At the moment, the Social Planning Council of Metropolitan Toronto estimates those women are

facing a shortage of 84,000 spaces. The reason we wanted to debate this subject this afternoon is to see if the minister can give us a commitment to more action.

I would also like to draw his attention to a very interesting initiative in the day care field that Action Day Care has developed. It is an initiative for providing nonprofit day care centres with furnishings, equipment and maintenance services at cost, through their day care improvement project.

This is not only providing many day care centres with furnishings, equipment and services at reasonable prices and enabling the dollars to go that much further, but it is also providing a considerable number of jobs in the design and manufacture of equipment. I think it is an initiative this government should be assisting to expand, from the point of view both of services for the day care centres and providing additional jobs.

I understand this project, which has been going for three or four years, has 30 child care centres on its waiting list for the services it provides, so there is lots of room for expansion and additional job creation.

I would like the minister to comment on the points I have raised. Why not give the per diem grant on top of the present federal, provincial and municipal sharing of the other operating costs in order to do something right now about those day care salaries? It would be a nice Christmas present. Why not consider this day care improvement project for further funding, perhaps through the job creation programs of the Treasurer (Mr. Grossman). It would provide him with a nice Christmas present he could offer as part of his campaign.

I would like the minister to comment.

Hon. Mr. Welch: There is no question that one of the areas requiring new solutions as far as child care is concerned is that of financing. I would like to talk about that for a minute, because measures that are going to augment the Canada assistance plan cost-sharing arrangement are going to have to be developed.

The impact of our system of taxes and transfer payments on families with children should be carefully assessed. I think this is very important. The system of federal and provincial taxes and transfer programs provides income support to families with children. I think the member will agree it has grown in a piecemeal way since about 1917.

I think the current array of programs—just listen to them: family allowances, the child tax

credit, the children's tax exemption, the child care expense deduction and the married exemption—includes many inequities at the moment. I want to suggest that since our system of taxes and transfer payments have at least a neutral impact on the composition and lifestyle choices of families and serve to assist working parents with the cost of child care in a fair and reasonable manner, our goal should be to try to rationalize these, which is why federal-provincial consultation is so important.

I might also mention that we should consider the use of the corporate tax system. We should explore it in terms of creating incentives for employers to enter into the child care partnership I have talked about. It may well be that organized labour, in its negotiations as far as benefits are concerned, will start including this in the collective bargaining process.

I point out to the member for Windsor-Sandwich (Mr. Wrye), who was asking about work-place child care, that there are four places now in our organization. I understand that at the Kingston Psychiatric Hospital, the Cedar Springs centre, the mental retardation facility in Orillia and the Rideau Regional Centre in Smiths Falls there are work-place child care facilities now. We should be seeing that increase as well as seeing it in the private sector.

4 p.m.

I mention all these other matters because there are people who are not looking for any subsidy but who simply want to have affordable, accessible child care. That is why I am thinking in terms of some new arrangements and perhaps even some new methods of financing, at no time suggesting we would in any way abandon our responsibility in so far as the subsidized area is concerned. The honourable member made some reference to the need for the enrichment of that, and we continue to keep that particular need before our colleagues. As a result, we had the financial increase in the benefit that was in the last budget.

We have to approach this on a number of fronts to satisfy ourselves we are exploring all these options and attempting to find some reasonable solutions for those who attach a great deal of importance to this service because it is so necessary for their economic wellbeing and their economic independence.

Ms. Bryden: The minister mentions there are some day care facilities in the Ontario public service, but I understand the Ontario Public Service Employees Union asked that further child care facilities be put on the agenda for

bargaining last year and was told it was not a subject for bargaining at this time. Even if the minister encourages the trade unions to seek some assistance from the employer in funding child care, the provincial government does not seem to be encouraging any further extension of its provisions for child care.

What is the minister going to do about all the people who are not in the trade unions? Only about one third are in trade unions, and the others probably need child care even more. A great many are immigrant women who have to go to work to supplement their husbands' earnings. They have to have adequate child care in order that their children are not left in unsupervised arrangements.

Hon. Mr. Welch: We know there are a lot of private arrangements. We know the regulations do not apply in those situations where there are fewer than five children who are in some type of formal care. I am sure a number of young people are being left with relatives and that all types of private arrangements are being entered into. There is no question about that.

I have a great personal belief in maintaining some degree of standards and respectability on the part of those who are engaged in this type of activity. I was not suggesting an either/or situation in my last answer. It is simply the fact that in order to give some effect to the new look to child care, which for too long, in my opinion, has been seen only as a welfare issue and should be freed from the shackles of being seen only as that, we should not ignore our responsibilities in that regard but we should see it as a much wider issue, as the economic and employment-related issue it is for the economic independence and equality of women.

Child care is also a joint parental responsibility and not just the responsibility of the mother, although in many single-parent situations she is obviously the individual involved. In a number of ways we look for these new partnerships. We look for ways of financing them and making them available. Keep in mind that the goal is to widen the accessibility and speak to the affordability of something that is going to be considered an important service.

As we approach it, we think of all sorts of pilot projects; the hub model, for instance. Even those parents who have children now of school age have some concern. If they are only in part-time kindergarten, what about the rest of the day? What about children at the end of the formal school day, when there is a period of time

between dismissal from school and the arrival home of parents?

All these factors have to be taken into account. With this new attitude of coming together and finding solutions instead of simply discussing problems, I feel we will be encouraged by the results both of the federal task force, the report of which is expected at the end of next month, and our own work internally within the government of Ontario.

Ms. Bryden: Mr. Chairman, we have only about 20 minutes left for the other subject we were going to deal with, which is battered wives. Perhaps we should move on to that.

Mr. Wrye: Mr. Chairman, I was tied up looking at other matters. I am pleased to say I still have a riding, and this one even makes some degree of sense.

Hon. Mr. Welch: What would the riding be called?

Mr. Wrye: I do not want to be the first one to tell the Deputy Premier the bad news.

With regard to family violence, does the minister not believe the time has come to table a piece of legislation that is solely devoted to the needs of battered women and shelters? Is it not time we ended this ad hocery and got on with some legislation for shelters?

As I pointed out in my opening statement, rather than ad hoc grants which are constantly used to bail shelters and transition homes out of crises situations, is it not time to move to some block funding and get off the per diems? Is the minister having those discussions on an ongoing basis? Can we expect some action in the near future?

I say that with respect. I think I conceded in my opening statement, but if I did not I will say it now, that the one area in which we have made progress and in which this ministry and this government do deserve some credit—and I am always willing to give it—is in the area of battered women, particularly wife abuse. The report of the standing committee, of which we are all justifiably proud, has been treated for the most part by this government with the serious attention that was needed.

I remain concerned about the lack of specific legislation in this area and most particularly about the need for some block funding. I do not think we can go on with ad hoc bailouts. I do not think that is the way to go. Having talked with a number of people involved in transition houses in all areas of Ontario, including Sudbury, Ottawa, my own community of Windsor and here in Toronto, I do not think they feel that is the way to

go. Can we expect some movement in that area in the next while?

Hon. Mr. Welch: I am grateful for the supportive comments from my friend the member for Windsor-Sandwich. It is refreshing from time to time to realize there are issues that can be addressed in a fairly objective way; the issue to which the honourable member makes reference is one.

I pay tribute to the standing committee. It was its report and the response to the report that encouraged us to get more involved than had been the case. The financial enrichment has been there as far as this program is concerned. Our main concern at this stage was to be sure none of the organizations providing this service as they have over the years would be in jeopardy. I have had no difficulty in securing the financial resources necessary to address that.

I pay tribute as well to the Ontario Association of Interval Transition Houses people. They were very helpful in those situations, working with us and with the people involved.

There has been a lot of new funding and there are some plans for further facilities coming on stream. Our first concern was to move in and satisfy ourselves in a flexible way that things were all right.

Mr. Wrye: Stabilized.

Hon. Mr. Welch: Stabilized, as the member says.

The next approach from a priority point of view was the public awareness campaign. On the basis of that campaign, I have a feeling there will be an even stronger appreciation of the extent of the problem. We have been using figures such as one in 10, or 200,000 women. I have a feeling the situation is more serious.

4:10 p.m.

When we go into that type of program, start taking it out of the closet and get people to talk about it, it carries with it the expectation of services being there to deal with the problems that come out. Perhaps now that things are stabilized, I think we will be in a better position—and I am speaking now as the minister who will be making some representations—for a higher degree of predictability and accountability, if that is the proper word, with respect to this financing. We will have this information and the projected needs that might help us to establish the need to move to the next stage.

What am I saying? I am saying I am in the process of collecting a little more evidence that might support a more formal request for the type

of funding that might have to be put in place to ensure this program is available. Keep in mind that I am hoping ultimately, as we get out to talk about this whole situation, to reduce the need in the long run; and keep in mind that various other services have to be used and are there and are being funded. I am talking about law enforcement, the system of justice and of the social welfare system to the extent it is applicable. These are special needs, however, that have to be addressed in this way.

I am encouraged by the tremendous community support we are getting. We are moving out into the regions of the province now and sharing this whole situation with them and finding many in the volunteer sector, the churches, the service clubs and other communities groups, ready to play their part as well.

Mr. Wrye: I appreciate the minister's statement. We have stabilized the patient for a while now and I hope we can move ahead. I am not only curious, but rather bothered by the comment the minister made in passing that he thought the problem might be worse than one in 10. I would like him to elaborate on that.

Keeping in mind the time—and I want to leave my friend 10 minutes or so after I take my 10 minutes—I also want to ask the minister to make some comment on the decision of this government to withdraw support from victim advocacy clinics. I am sure the minister is aware of the complainant support program at Hiatus House in my own community of Windsor.

Quite frankly, I was exceedingly disappointed, to put it generously, that the pilot project the federal government had started was cancelled. After a slow start, as most pilot projects have, I felt it was showing substantial and positive results. It seemed to me the decision to torpedo that program and to continue only with the crown prosecutor, as useful as she is, with a mandate to deal with these issues, has not addressed the program in nearly as positive a way as the complainant support program.

I am well aware that assistant crown prosecutor is not only doing, as was indicated at the time, assault cases on women, but she is also doing many other things. Frankly, I think we have lost a number of things that the complainant support program could have offered. Is the ministry considering renewing any kind of a victim advocacy program? I get the sense a couple of the ministers did not particularly like the program, so it was dropped.

I think it was very useful. I would like to get the minister's comments on that and also on the

10 per cent figure. Is that a statistic with which he has been provided? If so, could he provide it to the House.

Hon. Mr. Welch: Mr. Chairman, I do not have any additional facts and figures, but I have some reason to believe, on the basis of my own personal reading in this matter, that one of the things we lack is a solid statistical backup for all of this.

The Ontario Police Commission, for instance, has asked police forces to keep more accurate records now. Because of the directives of the Solicitor General (Mr. G. W. Taylor) and of the Attorney General (Mr. McMurtry), more attention is being paid to this type of assault than perhaps was the case in the past unfortunately. It is simply a matter of attaching some importance to it. We said in a federal-provincial context as well that we had to have a stronger information base in order to have a fuller appreciation of the extent of the problem.

I was impressed with the work in Windsor, particularly the support services that were being provided to victims. The Attorney General felt at that time, with resources being the way they were, there was some advantage to working with crown attorneys. As the member knows, 60 crown attorneys in the province have been set aside for special programs and are being more fully sensitized to this.

There is always a tendency to want to fragment or compartmentalize things. I would rather give a little more time to the program of the Attorney General with respect to victims generally, with special programs to sensitize those who are charged with the administration of justice as to the experience faced by those who come in contact with the justice system for the first time. Through seminars with judges and with the special program the Attorney General now has with the crown attorneys, I hope we might have the opportunity to bring these points of view to their attention.

The members know that the ministers of justice have just completed meetings in Newfoundland. One of the great emphases now coming into the criminal justice system is this whole business of the victims of crime, not just their compensation but their lack of familiarity with and their nervousness about the justice system and what has to happen to prosecute those cases.

That is why I was attracted to the program in Windsor. It had that caring and that very special emphasis. I hope at this stage we can share that experience with the special group of crown

attorneys who are being selected for this purpose and that the whole system could be that much more sensitized to these concerns.

Ms. Bryden: We are having a brief discussion of the whole problem of battered wives. It is an extremely important problem, a problem whose extent we are not fully aware of. I think it is similar to the child care problem in that it must be untied from the welfare system, because the women who require assistance in this field, and the batterers themselves who also require assistance, come from all walks of life and all income groups. It is a very serious social problem affecting children, affecting marriages and affecting the way people live together in our community.

The first thing is that it has to be untied from the welfare system. By that I mean that assistance for the victims should come directly through block grants. It should cover the kinds of services they need, not just the present room and board for a short period and a little counselling. It should cover the relocation and rehabilitation of the women who have to leave home permanently.

It should cover the child care that has to be done in the interval houses. If there are grants for child care for people at work, there should also be child care grants for interval houses. It should cover their advocacy work. They can do even more than the Attorney General's advocate assistance program because they are closer to the problem, they understand the problem and they work with the women in their appearances in court. It should include money for public education by the interval houses and generally for counselling.

I very much question whether the program the Ministry of Community and Social Services is putting in of so-called safe homes in rural areas and crisis centres in northern Ontario is going to answer the need for service to the victims of battering.

It may be one step better than having the local police force or the Ontario Provincial Police look after those problems, because they are not trained in those areas. However, what we really need are interval houses scattered much more widely throughout this province, with adequate trained staff who are adequately paid and do not have to rely either on the local municipal welfare people to give them a share of the funding before they can get any funding or on great fund-raising efforts that take up a great deal of the limited time of volunteers.

This is where we are at with services to battered wives. We do not have nearly enough

professional services available for the victims and, as a result, many are still suffering grievous experiences in the courts and are getting inadequate relocation and rehabilitation services. I would like the minister to comment on that.

4:20 p.m.

Hon. Mr. Welch: Mr. Chairman, I agree that anything we can do with respect to victim assistance is worth while; the member will get no argument from me on that. What we are attempting to do with the resources we have is address some of the particular needs. We added, as she knows, \$3.5 million for our transition houses and the related support services to the budget of the Ministry of Community and Social Services, for a total of \$9.6 million in 1984-85; so there has been a financial response in this area of immediate need in getting something in place or reinforcing those things that were in place.

As far as victim assistance programs are concerned, there are effective crisis intervention programs in place in Toronto, London, Windsor and several other jurisdictions. They are called domestic response teams; I pay tribute to the work they do. A voluntary program run by the Salvation Army is also in place in several jurisdictions, and I pay tribute to that.

As I told my friend the member for Windsor-Sandwich, the Attorney General is looking actively at victim assistance programs across the whole province, and a co-ordinator has already been hired in the office of the director of crown attorneys. I look to that co-ordinator and to those court officials to provide a great deal of leadership along the lines the member has mentioned in providing the help that victims need.

I am not just talking about their material wellbeing. This is a very traumatic experience for a number of people. A London survey has told us that many of these women who finally do go through the criminal justice system as a result of this type of behaviour have been beaten at least 35 times. That is a shocking bit of information. They have been hesitant to go to the system at all; and then finally they have gone, against a background of that type of behaviour on that number of occasions. It is little wonder that when they finally decide to go public with this and do something about it they require those people around them who are sensitive to their concerns and to the tremendous disruption there must be. I cannot think of anything more horrible than this type of behaviour.

Ms. Bryden: The minister seems to have co-ordinators for battered wives in his ministry,

co-ordinators in the Ministry of Community and Social Services and co-ordinators in the Ministry of the Attorney General. The question is, are we spending money on co-ordinators and advertising and not enough on the houses?

I would like the minister to provide us by correspondence with a list of all the interval houses now being funded and some estimate of future needs, because I still think there are large areas of this province that do not have police response teams. The minister mentioned three or four. There are large areas that do not have adequate interval house services, and there are large groups, such as immigrant women and native women, who are not being serviced adequately in this area either.

Just before I sit down I would also like to remind the minister that I hope he will study the figures we produced last Friday on the Quebec equal pay for work of equal value cases and withdraw his remark, which I heard again last night on the Canadian Broadcasting Corp., that there are no proven cases of equivalence having been applied in Quebec.

Hon. Mr. Welch: Mr. Chairman, I came quite prepared to respond to that today, because it was a challenge that was issued and one that was responded to. I am now prepared to answer it, but I was told there was some anxiety to do child care and domestic violence, and I agreed.

I can assure members that I have some very clear evidence with respect to this and I would just love to share it with the members. In fact, we should do it privately because it will be easier to deal with. Then I will be glad to send the members a letter on it after we have had a meeting on it. Notwithstanding the fact that our time is up, I have not overlooked this and I would like to discuss it with the members.

The Acting Chairman (Mr. Treleaven): The time for these estimates having elapsed, it is now time to carry the final vote.

Vote 402 agreed to.

On motion by Hon. Mr. Welch, the committee of supply reported a certain resolution.

Assistant Clerk: Mr. Treleaven from the committee of supply reports the following resolution:

That supply in the following amounts and to defray the expenses of the government ministries named be granted to Her Majesty for the fiscal year ending March 31, 1985.

Reading dispensed with [see appendix, page 4462].

Resolution concurred in.

MUNICIPAL SALES TAX ACT (continued)

Resuming the adjourned debate on the motion for second reading of Bill 102, An Act respecting the Sale of Lands for Arrears of Municipal Taxes.

Mr. Rotenberg: Mr. Speaker, we started a debate on this the other night. We got as far as moving second reading when the clock ran out, so today I am very pleased to recommend Bill 102 to the House for second reading.

This legislation will establish a new procedure for the recovery of municipal tax arrears, a procedure that will be more equitable to taxpayers and simpler for municipalities to administer. At present there are two separate procedures: a tax sale procedure established in 1825 and a tax registration procedure established in 1932. As the minister indicated last December 2 when introducing an earlier version of this legislation, Bill 138, we believe the time has come to combine the best features of both existing procedures into a single new procedure.

Following the introduction of Bill 138, we received a great many letters and our ministry staff consulted extensively with numerous groups and individuals having an interest in the proposed legislation. Response to the bill was very positive, although concern was expressed about a number of individual issues. As a result of the consultation process, a considerable number of revisions were incorporated into Bill 102, which was introduced for first reading in June 1984.

As a result of further consultations over the summer, we have decided to incorporate a small number of additional revisions to improve the new procedure further. Several of them are just housekeeping changes in the bill, but I will be introducing four amendments when we go into committee of the whole House. I have given the opposition critics notice of those amendments.

The proposed legislation provides that where taxes are still owing on January 1 of the third year from the year in which they were imposed, the municipal treasurer will be able to register a tax arrear certificate against the property unless otherwise directed by his counsel. In the case of the vacant land, the waiting period will be only two years instead of three years.

Once a tax registration certificate is registered, the treasurer will be required to notify the owner and all interested parties, including any tenant and the spouse of any tenant. The owner will then

have a full year from the date of registration to prevent the sale of the property by paying to the municipality the full amount of what the legislation calls the cancellation price.

The term "cancellation price" is defined in the legislation as the tax arrears plus all current taxes owing, interest and penalties, and all other reasonable costs incurred by the municipality.

4:30 p.m.

If this amount remains unpaid 280 days after the registration certificate, the treasurer will then be required to send a second notice to the same parties informing them of the impending sale of the property. Unless this notice results in the payment of the cancellation price before the one-year period expires—that is, the fourth year after the taxes have been in arrears—the treasurer will then offer the property for sale either by public tender or by public auction.

Notice of the sale will be given to local newspapers and in the Ontario Gazette. This notice will specify that the minimum acceptable bid or tender will be the full amount of the cancellation price. The municipality will be able to submit a tender or bid on its own if it intends to use the land for municipal purposes. As soon as the sale is completed, the property will be conveyed to the person offering the highest amount. The sale will be final and binding when the tax deed issued by the purchaser is registered at the local registry office.

An important feature of this new procedure is that the proceeds will be distributed in a fair and equitable manner. First, they will be used to pay the cancellation price to the municipality. Second, they will be paid to persons other than the owner with an interest in the property according to the legal priority of their interests. Third, the remainder of the proceeds will be paid to the former owner of the property.

Two other features in this legislation should be mentioned. First, if no tenders or bids are received or if the tenders or bids received are less than the cancellation price, the property will then belong to the municipality. Second, the local municipalities will be able to enter into agreement with their upper-tier council, authorizing the upper-tier treasurer to exercise all the powers and duties of a local treasurer on their behalf. At present, many counties, such as Frontenac, Hastings, Kent, Perth, Renfrew and Huron, administer tax sales for their local municipalities, and there is considerable support for the continuation of this arrangement.

The enactment of this important legislation will result in a great many benefits in this very

complex area of municipal activities. I would like to draw attention to three of the most important ones.

First, it will abolish the two existing procedures for the recovery of municipal tax arrears. In their place, it will establish a single, province-wide system that is simpler for taxpayers to understand and more straightforward for municipalities to administer. In addition, it will end the provincial involvement that is such a prevalent part of the current tax registration procedure.

Second, as another important benefit it will provide substantially greater procedural protection to taxpayers and to all those with an interest in the property. For example, for the first time the new procedure will provide for notice to assessed tenants and their spouses. It will also provide for two notices from the municipal treasurer to all interested parties during the one-year period before the registration of a tax registration certificate and the commencement of action for the sale of the property.

Third, and perhaps the most important benefit, it will abolish a very inequitable feature of the current tax registration procedure. At present, when a property is sold for tax purposes, the municipality retains all the proceeds of the sale, regardless of the amount of the outstanding arrears; the former owner and interested parties lose everything. The new procedure, as I indicated earlier, will be much fairer to everyone in this regard and represents, we think, a major step forward in municipal tax law in this province.

I look forward to hearing the comments of other honourable members on this bill and hope they will join me in supporting it for second reading. After second reading has carried, I have indicated I will ask the House to consider it in committee of the whole to introduce the amendments of which I have given notice.

Mr. Epp: Mr. Speaker, I am pleased to indicate on behalf of my colleagues in this caucus that we will support the bill. We believe it is a significant step forward with respect to tax arrears legislation in this province.

When the member for Wilson Heights (Mr. Rotenberg) indicated the tax sale legislation had originated back in 1825 and the tax registration legislation in 1932, it seemed surprising to me that it took this long to bring in a uniform tax arrears system for the whole province.

The parliamentary assistant has mentioned the benefits that accrue to individuals and to the municipalities of this province. I want to focus on the third one in particular, where he mentions

abolishing the present two systems under which the municipality gets all the benefits and the current owner, unable or sometimes unwilling to pay the taxes for whatever reason, even after the property is sold does not get any particular benefit. That in itself is worth the reform this legislation is going to institute.

I want to commend the ministry on the consultative process in which it has been engaged—I know a number of groups have been consulted—and particularly with respect to the Association of Municipalities of Ontario. That umbrella group, which has a number of smaller municipal organizations under its wings, so to speak, has been closely consulted, as far as I know. It has written a number of papers recommending changes, and I think most of the changes by far have been incorporated in this legislation.

Lest someone accuses me of forgetting to mention the very important fact that the minister is again absent from this chamber during discussion of his legislation, I want to mention to the parliamentary assistant that I have not missed that very obvious point. The minister was not here for question period. As the person who hands out all the patronage in eastern Ontario, he must be out signing all the appointments before the next provincial election. Wherever he is, we wish he would return to the House some time to participate in discussion of the legislation.

The parliamentary assistant did not mention that during the period April 1, 1983, to March 31, 1984, there were about 2,870 registrations of tax arrears in the province. That is a significant number. Of that group, 85 per cent were redeemed by the original owner or by someone in concert with the original owner. Talking about nonvacant land or land that had some structure or something on it, four per cent of the properties was sold to someone who was not an interested party. That leaves 11 per cent involving vacant land; here eight per cent was sold to someone else and about three per cent of the vacant land was municipally assumed.

Those statistics are interesting to the extent that I was surprised there were so many tax registrations across the province. I would have thought there were fewer, but perhaps there are more given the kind of economic times we had in comparison to the two previous years. I think there were 10 per cent or something less than that in the two previous years.

One interesting part of the legislation is that the lower-tier municipality can make an arrangement with the upper-tier municipality to look

after tax arrears. That is a request the AMO made of the province. It is something that has been agreed to. I commend the province on making these changes and incorporating the requests of AMO; as well as those of other groups, I am sure.

There is no doubt we have a lot of small municipalities. Of the more than 800 municipalities across the province, some have populations of perhaps only 1,000; they often do not have the machinery or staffing to look after the outside things that have to be done. Permitting upper-tier municipalities to attend to this is a positive step. Public tenders and public auction are the two ways municipalities can proceed; it leaves the choice open to the various municipalities. There is to a certain degree greater autonomy built into this system than there was previously.

4:40 p.m.

The one thing municipalities have asked for, and I am not sure how extensive it is so the parliamentary assistant may want to comment on this, is to get a commission for the sale of tax-arrear properties or properties on which the taxes have not been paid. The government has rejected that request and instead the municipality can claim a certain amount for administrative costs.

Certainly the administrative cost is something a municipality should be able to claim. It is not something the general public should pay for, although there are services the general public has a right to expect based on the taxes paid in a municipality. I do not think this is one of them. I think it is only right and proper that the costs accrue to the individual whose property taxes are in arrears.

I presume there would have to be some kind of justification by the municipality for the costs that are going to be attributed to that sale of property. They are going to have to be within certain limits and the parliamentary assistant may want to elaborate a little on exactly what kind of guidelines the ministry is going to issue with respect to this. There is a certain amount in the legislation itself, but he may want to elaborate on that.

When notices are sent, I want him to clarify whether they are going out by registered mail. I presume they are, but it would be helpful that if they are not now such notices of arrears in property taxes be sent by registered mail.

I have one further point. I understand there are six counties that carry out sales of tax-arrear properties for lower municipalities. I believe those six are the counties of Huron, Renfrew, Victoria, Perth, Kent and Frontenac. There have

been some discussions to permit other counties to sell properties and to collect those funds. I guess the government is not prepared at this point to expand that to the other 20 or so counties that do not have this system in place. I wonder whether the parliamentary assistant could elaborate on that point.

It may be opportune at this time to expand that to permit other counties that are not currently doing so to collect the taxes. If that is not the government's intention, then the parliamentary assistant might want to elaborate on when it plans to make those changes, if in fact it does.

As I have indicated, we do support the bill. We think it is a big step forward in the streamlining of the legislation. I am sure there will be some amendments necessary within the next few years; after every important piece of legislation, there are always changes that have to be made. In total, I think the bill does warrant the support of the opposition parties as well as of the government. We are pleased to give that support.

Mr. Breagh: Mr. Speaker, we will oppose the bill. I want to say at the beginning that I think it is somewhat of an improvement over the previous situation. I would rate this bill by saying it has brought the matter into this century. It would have been nice, though, if we had a clearer and more succinct process. As a matter of fact, I have not seen such a convoluted process since I first set eyes on the famed Rotenberg rule that was supposedly going to resolve the problem of the bells ringing all night.

It is another occasion on which Ontario by its legislation, according to this act, will set in motion a sequence of events that can last over a four-year period and that puts an obligation on the part of the municipalities to do a great many things, frankly, to resolve a problem of tax sales for arrears.

I appreciate there has been a fair amount of consultation in the matter, and that is why I will be brief in my opposition to the bill. I understand the ministry has attempted to listen to problems that have been put forward by those who will be most directly affected by the bill.

I want to comment in passing, as my colleague in the Liberal Party did, that I note the absence of the minister and, as always, I am grateful for his absence. I always find it adds something to the tenor of the debate when he is not here.

The bill itself deals with a problem that is not of great public interest, probably, but that a lot of municipalities have difficulty with: what do you do when a piece of property has tax owing on it; how do you handle that situation? I would have

preferred to see a more succinct process set in place, something that was a little fairer.

There is one other reason I am expressing some caution on this bill. I note the bill has been around for some time; it certainly has been discussed at the Association of Municipalities of Ontario, and in other places where they talk about these kinds of things, for more than a year. We saw one draft of the bill last year; we are seeing another draft of it now. Before the bill even gets second reading, four amendments are being put.

I think that speaks to the complicated and convoluted process that is being proposed here. It always seems to me that it is not a good idea for government to proceed unless it really knows what it is doing, and it appears to me that on this bill this government does not know what it is doing. It is trying to listen, but it has a hearing impediment.

In closing, one interesting concept was proposed by AMO, and that is a kind of real estate commission. When I first heard of this proposal by AMO—it did not call it a real estate commission, but it was tantamount to the same thing—it struck me as a particularly odd proposal for AMO to make.

The government's response makes the AMO proposal look good. The government's response is to say it will provide an allowance for administrative costs. The last thing I would want to do in this sweet world is to allow people in some of the municipalities I am familiar with a chance to lay out administrative costs. Having worked in municipal government for some time and having seen what one department can do to another in terms of chargeback, I certainly would not want to open that process up to the public, and it seems to me at least that the door is open here.

In summary, I feel the government has opted for a process that is more complicated than was necessary. It is one that I will follow with some interest as it goes through each of its different stages. It seems to me the province has put a lot of legal obligations on municipalities to resolve a problem. There is no denying this process is better than the one that was designed in the previous century; but it would have been nice to see a process put in front of us this afternoon that reflected the reality that this is 1984; it would have been nice to see a process that struck the balance between what the municipalities might have levied against them in actual cost by this process and the concept that AMO put forward, which was just a straight commission.

So we will follow it with some interest. As always, I am somewhat reluctant to oppose government legislation, but it has been my experience that if the government does not know what it is doing it is particularly dangerous. It seems to me that in this bill this afternoon it is giving us one more indication that it is not very sure of what it is doing. It is amending the bill before it gets through second reading. This is the second version of this particular bill I have seen and I know there have been others; my instincts tell me this is a bill we should not rush into madly.

4:50 p.m.

Mr. Rotenberg: Mr. Speaker, I would like to thank my colleague from the official opposition for his support and for his kind words, which I know were not for me but for the ministry staff.

It should be pointed out to the House that the consultative process with municipalities is certainly a nonpartisan type of process and I do appreciate the member from Waterloo North's (Mr. Epp) endorsement and understanding of that process and his participation in it. It is this kind of consultation with those of us who have had some experience in municipal politics that does make for better legislation, not only for the municipalities of this province, but also, more important, for the public of this province.

The member for Waterloo North did raise a couple of points I would like to discuss for a moment. With regard to the Association of Municipalities of Ontario, the only thing we disagree on is that they want a flat 10 per cent commission rather than the administrative fee. One of the principles we have in all these situations—and I think the member for Oshawa (Mr. Breaugh) came at it from the other side and swung the pendulum the other way—is that we do not feel a municipality should be able to make a profit on this kind of transaction.

One of the things that is built into this legislation, and should be, is some discretion on the part of the municipality as to whether it will seize a property. When a land developer falls behind, the municipality would have no qualms about taking it away from him; but if a person on a fixed income, a widow, a widower, a single parent and so on, gets behind in his or her taxes for a reasonably valid reason, the municipality wants to have that discretion.

If the municipality has the possibility or the incentive of making a profit on the tax sale, the use of that discretion may be coloured to the detriment of the person of poorer financial means who should be the beneficiary of that discretion.

For that reason the general policy of this government is that we do not want municipalities to be able to make a profit on performing their duty. That is why we do not feel there should be a commission.

We have indicated the municipality can charge its actual costs as part of the cancellation price. For some municipalities that may be somewhat difficult to ascertain, especially in advance. So we inserted section 15 in the bill saying:

"The council of a municipality, in lieu of charging the municipality's actual costs in determining any cancellation price, may by bylaw—that is in advance by bylaw—"fix a scale of costs to be charged as the reasonable costs of proceedings under this act, which scale shall be designed to meet only the anticipated costs of the municipality."

We feel that gives the municipality enough discretion to cover its costs and fix a reasonable amount. If a municipality is taking advantage of that situation and trying to charge exorbitant fees, then anybody can take it to court. We do not feel we should lay on municipalities exactly how they fix that. They are masters of their own house to an extent and they should be able to fix that scale of costs on their own.

The member for Waterloo North mentioned the notice provision. Section 11 of the bill covers the notice provision which basically requires personal service or registered mail to the last known address of all those people.

As far as other counties getting into this agreement is concerned, counties taking over from the area municipalities or the smaller municipalities, the right to carry this on in the agreement is covered in section 17. It basically provides that all counties and all other upper tier municipalities, including regional governments, can enter into agreements with their lower tier municipalities, so I think that would be covered under this legislation. If counties other than the ones mentioned that now have this system, or even if the region of Waterloo or Metropolitan Toronto wanted to give this all to the upper tier municipality, they can do so under this legislation.

Aside from the area of a commission rather than actual costs of administration, I think we have satisfied the consultative process and I hope I have answered the questions brought to us by the member for Waterloo North.

As far as the member for Oshawa is concerned, contrary to what he says, we know exactly what we are doing on this side of the House. He complains about the length of time it

has taken, yet if we brought something in and laid it before the House, he would complain we did not consult. One of the reasons this bill is being dealt with today and was not dealt with a month ago when it was first on Orders and Notices is that the same member for Oshawa wanted time—

The Acting Speaker (Mr. Cousens): Is the member for Oshawa standing for a reason?

Mr. Breagh: I am standing, Mr. Speaker, on a point of personal privilege. I do not mean to clue in the member for Wilson Heights on anything at all, but this bill has been printed for some time. The government House leader can call it whenever he wants. The only provision I put to him is that it seems wise to me when the government goes through a consultation process—

The Acting Speaker: Your privilege has not been challenged. Would you please be seated.

Mr. Breagh: If you hear the last half of this sentence, you might find it has been.

The Acting Speaker: No.

Mr. Breagh: The member for Wilson Heights should know that when the government pretends to have a consultation process and pretends to put forward the position of an organization such as AMO, a member of the Legislature such as myself can make a not unreasonable request to see that in writing rather than taking the parliamentary assistant at his word.

The Acting Speaker: Would the member for Wilson Heights deal with the bill only.

Mr. Rotenberg: Mr. Speaker, I am dealing with the bill and with the comments made by the member for Oshawa. The member is, of course, correct. He complained it took so long. I am saying the reason it took so long was the consultative process, something he endorsed. He cannot have it both ways. He cannot ask for time for consultation and then turn around and complain we take the time.

The Acting Speaker: Has the member for Wilson Heights finished on Bill 102?

Mr. Rotenberg: If I may, Mr. Speaker, I would ask that you not interrupt me when I am speaking to the principle of the bill.

The Acting Speaker: Thank you, I would be honoured.

Mr. Rotenberg: I thank the member for Waterloo North for pointing out that the government knows what it is doing on this bill and the process. But the member for Oshawa, who admits the present legislation is somewhat

outdated, says he is opposing the bill because he does not like it; and he offers no real alternative. That might be responsible opposition, but maybe that attitude is why that member and his colleagues are still in opposition.

Sure it is a complicated process but it has to be a complicated process. One of the reasons it is a complicated process is for the protection of individual citizens in this province. The third party from time to time tries to hold itself out as the party that wants to protect individual rights, but it is not.

What the member for Oshawa, who is not supporting this bill, calls complicated is simply making sure individual persons are protected. This is protection for individual taxpayers, individual property owners, even individual tenants—whom we support and they claim to support. We on this side are the ones who help the tenants. It is the rights of all those individuals that are supported and protected; that is why we have this process.

I reject totally the argument of the member for Oshawa. I hope he and his party will reconsider. This is a bill that protects individual rights and individuals. With those remarks I would ask for support for second reading of this bill.

Motion agreed to.

Bill ordered for committee of the whole House.

ONTARIO UNCONDITIONAL GRANTS AMENDMENT ACT

Mr. Rotenberg moved, on behalf of Hon. Mr. Bennett, second reading of Bill 135, An Act to amend the Ontario Unconditional Grants Act.

Mr. Rotenberg: Mr. Chairman, I will speak very briefly because this is really a technical amendment. The purpose of Bill 135 is to give the province the ability to help municipalities that could be adversely affected by previous legislation. It would ensure that municipalities located within the jurisdiction of district welfare boards and district boards of homes for the aged do not experience adverse cost-sharing shifts due to changes to the Ontario unconditional grants program made earlier this year.

The bill proposes to allow the province to prescribe a year of resource equalization grant entitlement. This is to be used in determining an amount to be added to each municipality's equalization assessment. It would replace the present system where it must be simply the previous year. We have found in implementing the new grant system that some municipalities would be affected adversely by using the

previous year instead of the designated year. We want to make this change to allow us to use a designated year so municipalities will not lose under the new system.

5 p.m.

Mr. Epp: Mr. Chairman, I think the parliamentary assistant has said it all. There is no need to elaborate on that. We support the amendment. It is in keeping with what we would like to see anyway, so I will leave it at that.

Mr. Breagh: We are on a roll today. We are going to oppose the bill.

Mr. Ruston: They only have two members here so they cannot really oppose.

Mr. Breagh: If the member wants, we can ring the bell and bring some more in.

Mr. Ruston: How can you do that?

Mr. Breagh: How many does the member have?

Mr. Ruston: About two or three.

The Acting Speaker (Mr. Cousens): The member will speak to the bill and not allow himself to be distracted by these horrible interruptions.

Mr. Breagh: You are supposed to protect me when I am attacked.

The Acting Speaker: I am trying to.

Mr. Breagh: We are going to oppose the bill for a very simple reason. If someone came and said, "Here is the way we are going to give you your allowance next year," but did not bother to tell either the amount or the basis of the allowance, it seems to me one would be in a bit of a quandary as to what kind of financing he would have over the next little while.

In essence, that is what this bill does. It says this will, in effect, be done by the order-in-council approach. It will not come before the Legislature, there will not be any debate on it and the government will do it on its own.

It says, if I may read the pertinent little phrase, "or such other year as may be prescribed." I know the member for Wilson Heights (Mr. Rotenberg) will find this astounding. From my point of view, I would like to know exactly what base year is going to be used. That would be a rather important piece of information.

Second, for some time I have not been happy, and the municipalities have not been happy, with the way unconditional grants are put out to the municipalities. We look at the system of trying to put a little fairness into the process of resource equalization grants and we find a similar compounding of the problem.

We have two choices. One could be grateful, and I suppose some municipalities will be, that there is potential here for them to get additional amounts of money, but I believe municipal governments in Ontario are more complicated and have more needs than that. They do not need a handout. What they need is a clear idea of what their financial situation will be with respect to unconditional grants and resource equalization grants.

We will extrapolate. The government, once again, will have at its disposal almost a secret weapon. It will decide the base year and the amount of the grants, and it will do so in private when it feels like doing so and in a manner in which it feels like doing so.

I believe municipal financing is so important that they ought to have a better set of rules than that under which to operate. I am really reluctant to look at a system such as this that will virtually allow the government to do what it wants in private, without the inconvenience of having to come to the Legislature to provide us with an accurate estimation of what the unconditional grants will be for the forthcoming year or the years after that. It does not really have to negotiate with anybody. It has an ability to set an arbitrary amount of money on its own. I believe that to be quite wrong.

I am anticipating that the member for Wilson Heights, foaming at the mouth, will tell us all about how wonderful this government has been to municipalities and how it always gives them more money than last year. I think it is time to address ourselves to the larger issue. We need to have a better formula for financing municipal governments than an unconditional grant system which is announced virtually at the minister's pleasure, and a resource equalization grant system which was set up to provide almost a temporary balancing-up of the funding system, but which has, in effect, become a way for ministers to go out and hand out cheques.

I believe that to be quite a wrong system. I am aware there probably will be some municipalities that will get more money under this proposal, but I think the process is a wrong one and that we should have addressed ourselves to that, instead of to the bill which is before us today. We will oppose it.

Mr. Rotenberg: Mr. Speaker, I want to thank the member for Waterloo North (Mr. Epp) for his approach to this bill, for his understanding of what the bill is and is not about, and also for his understanding that this is part of the consultative process with the Association of Municipalities of

Ontario and that it is because of the problems which have arisen under the new grants system that we had to bring it forward.

The response of the member for Oshawa (Mr. Breaugh) was of course predictable. He did not want to discuss the bill, but to discuss things that are not in the bill. That is predictable and his opposition is also predictable. Whereas one party has responsible opposition, the other party has irresponsible opposition. I will leave it at that.

The year that will be used will be mainly the year 1983, which is the last year the resource equalization grant had a guarantee. However, there may be some other situations where it will be to the benefit of a municipality to use a previous year rather than 1983 or 1984 in order to make sure that a municipality does not lose on this.

Again, this is a result of our co-operation and consultation with the Association of Municipalities of Ontario, particularly the AMO finance committee. This has its support, and I would commend the bill to the House.

The Acting Speaker: Mr. Rotenberg, on behalf of Mr. Bennett, has moved second reading of Bill 135.

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Motion agreed to.

Bill ordered for third reading.

House in committee of the whole.

MUNICIPAL SALES TAX ACT

Consideration of Bill 102, An Act respecting the Sale of Lands for Arrears of Municipal Taxes.

Sections 1 and 2 agreed to.

On section 3:

Mr. Chairman: Mr. Rotenberg moves that subsection 3(1) of the bill be amended by inserting after "treasurer" in the ninth line "unless otherwise directed by the municipal council."

Mr. Rotenberg: Mr. Chairman, basically the registration of tax certificates is done as an administrative procedure. As I indicated in my speech on second reading, from time to time some discretion is deemed to be appropriate on whether or not a tax certificate should be registered.

From time to time in our consultation process there was some disagreement among municipalities and some municipal associations. Some felt

the treasurer should have the discretion, some felt the council should have the discretion and some felt there should be no discretion, that all the tax certificates should be registered no matter what the situation.

Having listened to everyone, and to the last position of AMO as well, we felt that if there is to be discretion, the discretion should be with the municipality and not with this government. Therefore, inserting the words in the clause that "the treasurer, unless otherwise directed by the municipal council, may" allows the municipality, in effect, to exercise any of the options.

In other words, the municipal council may otherwise direct the treasurer to register everything and have no discretion, the municipality may ask the treasurer to bring them all to its attention and the council may exercise the discretion, or the municipality may say to the treasurer, "You exercise your discretion on an administrative basis."

All the options are available to the municipality the way we have amended the act. As I say, we have done this in consultation with the municipal associations. The first draft was also done in consultation. There was some disagreement. Having put out the bill and had further consultation, as we always do, we find this seems to be the preferred position. The way we have it worded in this amendment, it will cover all the options and give each municipality the right to exercise that option if it desires.

Mr. Epp: Mr. Chairman, the parliamentary assistant indicated to the House that the government had a choice between the province and the municipality and it decided in favour of the municipality. I commend it for this because we have a much better decision-making process at the municipal level.

Second, if it is between the municipal council and the treasurer, I think the municipal council should ultimately be responsible and the treasurer should get his instructions from the council.

I do not think there is any problem there. We wholeheartedly and without equivocation support the amendment.

5:10 p.m.

Mr. Breagh: Mr. Chairman, I just have one question. What happens when the treasurer does something which he has not been directed by the council to do and the council does not like what he did?

Mr. Rotenberg: Mr. Chairman, in advance of that happening, the council may direct the treasurer how he shall operate. In other words, he shall draw everything to the council's attention,

or just draw certain kinds of things to the council's attention or draw nothing to the council's attention.

If a council in its wisdom has given the treasurer certain discretion ahead of time and says, "You exercise your discretion," that is what it has done and the treasurer then goes ahead and exercises his discretion. However, even having that happen, after the treasurer has done it and reports to council, as he must, the council can then reverse the decision of the treasurer by taking away the discretion given to him in the first place. The council still has the ultimate authority.

Mr. Breagh: That gives rise to one more question. I really wish the parliamentary assistant would try to answer the initial question. What happens if the council has set out some guidelines about how the notices would go out or what will be brought to the notice of the council? What happens if the council changes its mind afterwards? The treasurer has been given one set of guidelines to work with and does that. Does the council still retain a right to reconsider? How is that handled?

Mr. Rotenberg: The final say is always with the council. I cannot put my hand on the section, but there is a section under which a tax certificate can be withdrawn. If the treasurer registers a certificate and at some time during the year the person against whom it is registered appeals to the council, the council has the right to withdraw that certificate during the year. It can correct what might be deemed to be a mistake by the treasurer in exercising discretion, or the council may change its mind. Within that year, the council has the right at any time to change its mind and to withdraw the certificate.

On the other hand, if the treasurer decides not to register a certificate on a piece of property and it is drawn to the council's attention either through the treasurer's report or by some other citizen, the council can direct the treasurer to register the certificate which in his discretion he has decided not to register. That is because it says, "unless otherwise directed by council." Either way the council has the ultimate decision.

Mr. Breagh: I want one final piece of information. What happens after a year in which, for example, a municipal council might change? It might even change its mind.

Mr. Rotenberg: Once the land has been sold, it is final. A council cannot change its mind after the land has been sold and registered. Even after it has gone out to tender, the council can still withdraw it. The final decision is still with

council, but once it is sold, the sale is final and there is no recovery.

Motion agreed to.

Section 3, as amended, agreed to.

Sections 4 to 7, inclusive, agreed to.

On section 8:

Mr. Chairman: Mr. Rotenberg moves that subsection 8(1) of the bill be struck out and the following substituted therefor: "A municipality, by a bylaw passed after the registration of a tax arrears certificate and before the expiry of the one-year period mentioned in subsection 9(1), may authorize an extension agreement with the owner of the land extending the period of time in which the cancellation price is to be paid and the agreement may be subject to such terms and conditions relating to payment as are set out in it but it shall not,

"(a) reduce the amount of the cancellation price or;

"(b) prohibit any person from paying the cancellation price at any time."

Mr. Rotenberg: Mr. Chairman, if the member for Oshawa (Mr. Breaugh) accuses us of not knowing what we are doing, this may be the only time where that is a possibility. This was a misprint.

We have consulted with the legislative counsel and it was indicated that we could not correct the misprint by editing, but had to bring in an amendment. If the member will look at the bill at the top of page 7, the words "shall not" apply to clause (a). They should apply to both clauses (a) and (b) and, therefore, the words "shall not" should come before clause (a) so that they will apply to both clauses (a) and (b).

As I say, this was a misprint. We do know what we are doing because we edit these things and read them over even after they are printed and even after they have had first reading. The misprint was caught and we have brought in this amendment to correct it.

Mr. Epp: To paraphrase Shakespeare, methinks thou doth protest too much or much ado about nothing or something like that.

Mr. Breaugh: I want to accept the parliamentary assistant's abject apology, heartfelt as it was.

Mr. Chairman: Shall the amendment to subsection 8(1) carry?

Motion agreed to.

Section 8, as amended, agreed to.

Sections 9 and 10 agreed to.

On section 11:

Mr. Chairman: Mr. Rotenberg moves that subsection 11(2) of this bill be struck out and the following substituted therefor:

"(2) Any notice required to be sent under this act to an assessed tenant in occupation of the land and to his or her spouse may be given to them jointly by personal delivery or by ordinary mail addressed to 'the occupant and spouse' at the address of the land."

Mr. Rotenberg: Mr. Chairman, the purpose of this is to clarify that the spouse as well as the tenant receives the notice. The word "spouse" was left out on the original draft.

Mr. Breaugh: Mr. Chairman, I want to put on the record that I have some concern about the nature of the notice. I am not enthralled with the notion that a letter will go out by ordinary mail addressed to "the occupant and spouse." I receive lots of letters at my home sent by ordinary mail and addressed to the occupant and that kind of mail does not exactly get high priority treatment in my house.

It seems to me that the nature of the notice would indicate there was an obligation on the part of the municipality to do this in a somewhat different manner. It seems to me, frankly, quite beyond the pale to send out by ordinary mail letters of this nature addressed to "the occupant and spouse." I would like to know why.

Mr. Rotenberg: This is notice only to tenants, not to owners. In normal situations, this would be a tenant who does not have an interest in the land and is simply the tenant. Something new in this bill is that notice is being given to tenants, who, unlike owners, mortgagees or someone who has a registered interest in the land, do not have a financial interest in the land. It should not be required to add the cost of registered mail to the municipality for an apartment building with many tenants. For those who do not have a financial interest in the property, registered mail is not required.

Mr. Breaugh: I do not want to belabour the point. I like the idea of notice being given. My problem is the form. If it is sent by ordinary mail and if the phrase "To the occupant and spouse" is used, it will be received virtually as junk mail. The parliamentary assistant has a bit of an argument, I suppose, in saying these people are tenants and may or may not have a direct financial interest in the transaction.

It is also true that one of the reasons that will get them thrown out of there is the sale of the building for personal use. What sprang to my

mind was that a lot of these procedures might be against duplexes, against people who have an apartment or something in a house. In my municipal experience that tends to be the kind of building in question in all of this.

It seems to me we owe the tenants a bit more than that. It is true, after all, that this particular piece of real estate would be in some question at that time. The tenants might well be thrown out on their ears, and the only notice they are going to get is going to be addressed to "Dear Occupant," which seems to me to be a strange way to proceed.

5:20 p.m.

Mr. Rotenberg: The other problem where there are tenants is that quite often the assessment roll is not accurate. If we send it to Mr. X, who is the tenant on the assessment roll, and Mr. X has since departed and Mr. Y is now the tenant, instead of delivering the mail to Mr. Y as the new tenant, the mailman will take it back to the post office, mark it "Unknown," send it back and the occupant will get nothing.

It is really a matter of judgement as to which method would make sure the person who occupies that property as a tenant in whatever form, be it commercial, industrial or residential, will receive some form of notice. They get two notices, one at the beginning of the year and one after nine months.

As I say, it is a judgement call. We felt that in this way the tenant would have a better chance of receiving the notice than if it were sent to him on the basis of the assessment roll with his name on it, because that could be several years out of date and chances are in that situation that he might not get it either. As I say, we feel this is not a perfect method but it is a better method of making sure the tenants receive the notices.

Mr. Chairman: All those in favour of Mr. Rotenberg's amendment to subsection 11(2) will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Motion agreed to.

Section 11, as amended, agreed to.

Sections 12 through 16, inclusive, agreed to.

On section 17:

Mr. Chairman: Mr. Rotenberg moves that subsection 17(2) of the bill be struck out and the following substituted therefor:

"(2) Where an agreement is in force under this section, the county treasurer has all of the powers of the treasurer of the local municipality in

relation to the collection of tax arrears, including the power to sell land under this act, and the county treasurer shall perform all of the duties of the treasurer of the local municipality in relation thereto and only the county may pass bylaws under sections 8 and 15."

Mr. Rotenberg further moves that subsection 17(8) be struck out and that subsection 17(9) be renumbered accordingly.

Mr. Rotenberg: Mr. Chairman, the purpose of this amendment is to make it very plain that where a new tax agreement is brought forward between an upper-tier municipality or a county and a local municipality, the treasurer of the upper-tier will have all the powers, including the power to collect tax arrears. When the agreement is entered into, the county or upper-tier municipality will have all the powers that the treasurer of the local municipality would have if the local municipality exercised its powers under this act.

Since we have made sure that the treasurer of the upper-tier or the county has all the powers, subsection 17(8) is no longer required because subsection 17(8) simply made sure that the counties now in the agreement got those powers. We are now making sure that in every county or upper-tier municipality in which the agreement is brought forward, the treasurer will have all the powers of the local treasurer.

Mr. Epp: Mr. Chairman, we have no problem with the clarification here; we support it. I believe some municipalities have requested this, and it is something that will more closely meet their needs.

Mr. Breaugh: Mr. Chairman, the only comment I would make is that this is getting a little complicated. It points out some of my concern that this is going to be a difficult piece of legislation to explain to people on municipal councils and even more difficult to explain to the population at large.

I want to stick one little sentence on the record here. I think there is going to be some difficulty over the way this process works. It is not difficult to envisage that on a given day a lower-tier municipality will say, "The upper tier"—whether it is the county or the region—"is in a better position to do this kind of administrative work." Then we get into this kind of clarification of the bill and, in the practical ramifications of it all, the lower-tier community has lost its discretionary power to talk to people in its community and to rectify a local problem.

I am afraid the parliamentary assistant has simply put another bureaucratic face on some-

thing that is very complicated, and it is going to cause him at least some indigestion.

Mr. Rotenberg: Mr. Chairman, the only problem and complication, unfortunately, is in the mind of the member for Oshawa. We already have some six counties that operate very happily under this system; we have other counties and other municipalities within counties that have requested it. Far from the system being complicated, it is being simplified.

As far as discretion is concerned, of course, when we turn over the powers to a higher municipality, we also turn over discretion. But even in village A, which has turned over its discretion to the county, at least one or two members of the village A council sit on the county council, and certainly any resident taxpayer of that municipality can approach his local member on the county council to have that matter brought forward. So the discretion will still be there at the local level.

Motion agreed to.

Section 17, as amended, agreed to.

Sections 18 to 25, inclusive, agreed to.

Bill, as amended, ordered to be reported.

On motion by Mr. Rotenberg, the committee of the whole House reported one bill with certain amendments.

CITY OF SUDBURY HYDRO-ELECTRIC SERVICE AMENDMENT ACT

Mr. Watson moved, on behalf of Hon. Mr. Andrewes, second reading of Bill 132, An Act to amend the City of Sudbury Hydro-Electric Service Act.

Mr. Watson: Mr. Speaker, back in 1980 various parts of the city of Sudbury received electric service from Sudbury Hydro, Ontario Hydro and Inco Ltd. At the request of the city, the City of Sudbury Hydro-Electric Service Act was enacted, which allowed the municipal hydro commission to take over responsibility for the area previously served by Ontario Hydro. The status quo in the Copper Cliff area, which was served by Inco Ltd., was not interfered with.

Over the past few months, Inco Ltd. has offered to turn over its distribution system in the Copper Cliff area to the city hydro commission. Inco has made similar offers to dispose of its distribution systems in the towns of Onaping Falls and Walden. Bill 91, which received third reading on Friday, November 23, 1984, provides the enabling legislation for the system transfer in those towns in the region of Sudbury.

In a similar situation, Bill Pr39 was given second and third readings on November 23 to allow the town of Iroquois Falls to acquire an electrical distribution system from Abitibi-Price Inc. in the district of Cochrane.

The member for Sudbury (Mr. Gordon) and the member for Sudbury East (Mr. Martel) have indicated their support for the amendments, and Mayor Wong of Sudbury has requested that the amendments to the act proceed as soon as possible.

Accordingly, this amendment will give the Sudbury Hydro-Electric Commission the right to distribute and supply electrical power in areas where the commission purchases the assets used to supply the power. It is enabling legislation. It is a little more than housekeeping, but it tends to be a clarification as to their ability to make that purchase.

Mr. Epp: Mr. Speaker, I have not travelled to Sudbury to take a look at the ingredients of this bill as to what it is actually going to do, as I am sure the parliamentary assistant has not. The interesting part is that it is going to clarify some of the legislation. What it does in essence is it supports a principle that we hold very dear. It is going to enhance greater local autonomy for the local municipal utility. It is going to give them a little more control. As the honourable member said, it is going to facilitate purchasing additional utilities and, to that extent, we support it.

5:30 p.m.

Mr. Breaugh: Mr. Speaker, in sharp contrast to the previous two pieces of legislation, which were ill-thought-out and awkwardly presented—it is no wonder I opposed those—I am in support of this legislation.

Mr. Ruston: The member for Sudbury East told the member that. He said he wanted to support it.

Mr. Breaugh: The member for Sudbury East, as always, has done his homework on the matter. In his own quiet way he intimated to me he thought this legislation was worthy of support.

In a nutshell, the major impact of the legislation before us was captured in a letter from the chairman of Sudbury Hydro, Elmer McVey. I will quote a little bit from it:

“Copper Cliff residential customers will incur an approximate six per cent increase in their bills if Sudbury Hydro takes over and a nine to 12 per cent increase if Ontario Hydro does.”

That says it all. There is a chance this facility will be taken over by Ontario Hydro. Those of us

who have seen Hydro at its finest know that is something to be avoided at all costs.

This legislation is fairly straightforward and worthy of our support. We give it that.

In closing, I note that we are one step away from having the pages taking legislation through this House. There is not a minister of the crown present.

Mr. Ruston: Not one minister in the House.

Mr. Breagh: Not one—not even the minister from Sudbury; he is off at the Board of Internal Economy. There was some argument over who would carry this bill. Members may note it is printed in the name of the Minister of Municipal Affairs and Housing (Mr. Bennett), who is, of course, long gone. The government House leader then put a little motion through here saying it was in the name of the Minister of Energy (Mr. Andrewes). He too is long gone; so we are a long way down the list.

I fully anticipate that some time next week it will be the pages standing in the places opposite who will be carrying legislation in here. They probably would do a much better job. Certainly they would not be as inept as the member for Wilson Heights. The only advantage the member for Sarnia (Mr. Brandt) has is that he has not yet learned to speak.

The Deputy Speaker: Are there any other honourable members with any further comment? Does the parliamentary assistant have further comments?

Mr. Epp: There is not a single member in the first or second row in this House; there is not a single cabinet minister.

Mr. Gillies: We do not need the front benches to handle the members opposite.

Mr. Kolyn: There is no one on the member's front benches over there either.

Interjections.

The Deputy Speaker: Order. We were proceeding nicely.

Mr. Breagh: Mr. Speaker, I would ask for a quorum call, if I might.

Mr. Speaker ordered the bells to be rung.

5:36 p.m.

Clerk of the House: There is a quorum plus one, Mr. Speaker.

The Deputy Speaker: A quorum plus one being present, I recognize the parliamentary assistant.

Mr. Watson: Mr. Speaker, I wish to thank the members opposite for their support. I note the great increase in the number of members of the New Democratic Party; it has increased by 50 per cent. That is pretty good. In percentage terms, they win that one.

I also fully agree with the honourable member's comments about the pages. Before too long, I suspect, some of them may be bringing in legislation. The fact that my son happens to be serving as a page now has nothing to do with that, but it makes it appropriate. I will take it as a compliment.

An hon. member: Back to the bill.

Mr. Watson: Back to the bill. I appreciate the comments. We do agree that it is a clarification bill. I am pleased to move second reading of Bill 132.

Motion agreed to.

Bill ordered for third reading.

The House adjourned at 5:39 p.m.

APPENDIX

COMMITTEE OF SUPPLY

Mr. Treleaven from the committee of supply reported the following resolutions which were concurred in by the House:

That supply in the following amounts and to defray the expenses of the government ministries named be granted to Her Majesty for the fiscal year ending March 31, 1985:

Ministry of Intergovernmental Affairs

Ministry administration program, \$1,395,500; intergovernmental relations program, \$4,850,400; French-language services and Franco-Ontarian affairs program, \$1,752,400.

Ministry of Government Services

Ministry administration program, \$9,746,100; accommodation program, \$262,998,200; human resource services program, \$62,942,900; corporate services program, \$16,517,500; real property program, \$19,123,100; computer and telecommunication services program, \$12,545,900.

Office of the Lieutenant Governor

Office of the Lieutenant Governor program, \$393,300.

Office of the Premier

Office of the Premier program, \$2,413,000.

Cabinet Office

Cabinet Office program, \$1,635,700.

Ministry of Revenue

Ministry administration program, \$17,430,000; tax revenue and grants program, \$534,521,000; property assessment program, \$78,902,000.

Ministry of Northern Affairs

Ministry administration program, \$3,925,100; northern economic development program, \$43,881,500; northern transportation program, \$85,272,700; northern community services and development program, \$26,317,800.

Ministry of Treasury and Economics

Ministry administration program, \$5,987,000; treasury program, \$171,156,000; budget and intergovernmental finance policy program, \$5,537,000; economic policy program, \$491,408,000; inflation restraint program, \$1,513,000; Ontario Economic Council program, \$1,201,000.

Office of the Deputy Premier

Ministry administration program, \$628,100; women's issues program, \$5,060,500.

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SPEAKERS IN THIS ISSUE

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 Bradley, J. J. (St. Catharines L)
 Breaugh, M. J. (Oshawa NDP)
 Bryden, M. H. (Beaches-Woodbine NDP)
 Conway, S. G. (Renfrew North L)
 Cousens, D., Deputy Chairman and Acting Speaker (York Centre PC)
 Elston, M. J. (Huron-Bruce L)
 Epp, H. A. (Waterloo North L)
 Gillies, P. A. (Brantford PC)
 Grossman, Hon. L. S., Treasurer and Minister of Economics (St. Andrew-St. Patrick PC)
 Hennessy, M. (Fort William PC)
 Jones, T., Deputy Speaker and Chairman (Mississauga North PC)
 Kerrio, V. G. (Niagara Falls L)
 Kolyn, A. (Lakeshore PC)
 Mackenzie, R. W. (Hamilton East NDP)
 Martel, E. W. (Sudbury East NDP)
 McClellan, R. A. (Bellwoods NDP)
 McMurtry, Hon. R. R., Attorney General (Eglinton PC)
 Nixon, R. F. (Brant-Oxford-Norfolk L)
 Rae, R. K. (York South NDP)
 Ramsay, Hon. R. H., Minister of Labour (Sault Ste. Marie PC)
 Riddell, J. K. (Huron-Middlesex L)
 Rotenberg, D. (Wilson Heights PC)
 Ruston, R. F. (Essex North L)
 Stephenson, Hon. B. M., Minister of Education and Minister of Colleges and Universities (York Mills PC)
 Swart, M. L. (Welland-Thorold NDP)
 Treleaven, R. L., Acting Chairman (Oxford PC)
 Turner, Hon. J. M., Speaker (Peterborough PC)
 Watson, A. N. (Chatham-Kent PC)
 Welch, Hon. R. S., Deputy Premier and Minister responsible for Women's Issues (Brock PC)
 Wells, Hon. T. L., Minister of Intergovernmental Affairs (Scarborough North PC)
 Wildman, B. (Algoma NDP)
 Worton, H. (Wellington South L)
 Wrye, W. M. (Windsor-Sandwich L)

ENDING SECT. SEP 11 1985

